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# JOURNAL

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## House of Representatives

OF

THE UNITED STATES,

AT THE FIRST SESSION OF THE ELEVENTH CONGRESS,

BEGUN AND HELD

AT THE CITY OF WASHINGTON,

MAY 22, 1809,

AND IN THE THIRTY-THIRD YEAR OF THE INDEPENDENCE OF THE SAID STATES.

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VOLUME VII.

Reprinted by order of the House of Representatives.

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WASHINGTON :

PRINTED BY GALE & SEATON.

1826.

**JOURNAL**  
**OF**  
**The House of Representatives**  
**OF THE**  
**UNITED STATES.**

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**CONGRESS OF THE UNITED STATES :**

**BEGUN** and held at the City of Washington, in the Territory of Columbia, on Monday, the twenty-second of May, in the year of our Lord, one thousand eight hundred and nine, being the First Session of the Eleventh Congress held under the Constitution of Government of the United States :

On which day, being the day appointed by law for the meeting of the present session, the following members of the House of Representatives appeared, produced their credentials, and took their seats, to wit :

**From New Hampshire,**

{ Daniel Blaisdell,  
John C. Chamberlain,  
William Hale,  
Nathaniel A. Haven,  
James Wilson.

**From Massachusetts,**

{ Ezekiel Bacon,  
William Baylies,  
Richard Cutts,  
William Ely,  
Gideon Gardner,  
Barzillai Gannett,  
Edward St. Loe Livermore,  
Benjamin Pickman, junior,  
Josiah Quincy,  
Ebenezer Seaver,  
William Stedman,  
Jabez Upham,  
Joseph B. Varnum,  
Laban Wheaton.

**From Rhode Island,**

{ Richard Jackson, junior,  
Elisha R. Potter.

**From Connecticut,**

{ Epaphroditus Champion,  
Samuel W. Dana,  
John Davenport,  
Jonathan O. Mosely,  
Timothy Pitkin, jun.  
Lewis B. Sturges,  
Benjamin Tallmadge.

**From Vermont**

{ William Chamberlin,  
Martin Chittenden,  
Jonathan H. Hubbard,  
Samuel Shaw.

From New York,

James Emott,  
Jonathan Fisk,  
Barent Gardenier,  
Thomas R. Gold,  
Herman Knickerbacker,  
Robert Le Roy Livingston,  
John Nicholson,  
Peter B. Porter,  
Ebenezer Sage,  
Thomas Sammons,  
John Thompson,  
Uri Tracy,  
Killian K. Van Rensselaer.

From New Jersey,

Adam Boyd,  
James Cox,  
William Helms,  
Jacob Hufty,  
Thomas Newbold,  
Henry Southard.

From Pennsylvania,

William Anderson,  
David Bard,  
Robert Brown,  
William Crawford,  
William Findley,  
Robert Jenkins,  
Aaron Lyle,  
William Milnor,  
John Porter,  
John Rea,  
Matthias Richards,  
John Ross,  
George Smith,  
Samuel Smith,  
Robert Whitehill.

From Maryland,

John Brown,  
John Campbell,  
Charles Goldsborough,  
Philip B. Key,  
Alexander M'Kim,  
John Montgomery,  
Nicholas R. Moore,  
Roger Nelson,  
Archibald Van Horn.

From Virginia,

Burwell Bassett,  
William A. Burwell,  
Matthew Clay,  
John Dawson,  
John W. Eppes,  
James Brackenridge,  
Thomas Gholson, jun.  
Peterson Goodwyn,  
Edwin Gray,  
John G. Jackson,  
Walter Jones,  
Joseph Lewis, jun.  
John Love,  
Thomas Newton,  
John Randolph,  
John Roane,  
Daniel Sheffey,  
John Smith,  
James Stephenson,  
Jacob Swoope.

From North Carolina,

Willis Alston, jun.  
James Cochran,  
Meshack Franklin,  
James Holland,  
Thomas Kenan,  
William Kennedy,  
Nathaniel Macon,  
Archibald McBride,  
Lemuel Sawyer,  
Richard Stanford,  
John Stanley.

From South Carolina,

Lemuel J. Alston,  
William Butler,  
Joseph Calhoun,  
Robert Marion,  
Thomas Moore,  
John Taylor,  
Robert Witherspoon.

From Georgia,

William W. Bibb,  
Howell Cobb,  
Dennis Smelt,  
George M. Troup.

From Kentucky,

Henry Crist,  
Joseph Desha,  
Benjamin Howard,  
Richard M. Johnson,  
Matthew Lyon,  
Samuel McKee.

From Tennessee,

Pleasant M. Miller,  
John Rhea.

From Ohio,

Jeremiah Morrow.

And a quorum, consisting of a majority of the whole number, being present,

The House proceeded, by ballot, to the choice of a Speaker ; and, upon examining the ballots, a majority of the votes of the whole House was found in favor of JOSEPH B. VARNUM, one of the Representatives for the State of Massachusetts ; when,

Mr. Varnum was conducted to the Chair, from whence he made his acknowledgments to the House as followeth :

*“Gentlemen of the House of Representatives :*

*“The continued manifestation of the national confidence in me, expressed by the Representatives of the People, on this occasion, fills my heart with grateful sensibility. In obedience to the call of my country, I accept the office assigned me, and will endeavor to discharge the duties of it according to the best of my abilities, and agreeably to the wishes of the House.”*

The House proceeded, in the same manner, to the appointment of a Clerk ; and, upon examining the ballots, a majority of the votes of the whole House was found in favor of Patrick Magruder.

The oath to support the Constitution of the United States, as prescribed by the act, entitled “An act to regulate the time and manner of administering certain oaths,” was administered, by Mr. Moore, one of the Representatives for the State of Maryland, to the Speaker ; and then the same oath, or affirmation, was administered by Mr. Speaker to all the members present, to wit :

Daniel Blaisdell, John C. Chamberlain, William Hale, Nathaniel A. Haven, James Wilson, Ezekiel Bacon, William Baylies, Richard Cutts, William Ely, Gideon Gardner, Barzillai Gannet, Edward St. Loe Livermore, Benjamin Pickman, jun., Josiah Quincy, Ebenezer Seaver, William Stedman, Jabez Upham, Laban Wheaton, Richard Jackson, jun., Elisha R. Potter, Epaphroditus Champion, Samuel W. Dana, John Davenport, Jonathan O. Mosely, Timothy Pitkin, jun., Lewis B. Sturges, Benjamin Tallmadge, William Chamberlin, Martin Chittenden, Jonathan H. Hubbard, Samuel Shaw, James Emott, Jonathan Fisk, Barent Gardenier, Thomas R. Gold, Herman Knickerbacker, Robert Le Roy Livingston, John Nicholson, Peter B. Porter, Ebenezer Sage, Thomas Sammons, John Thompson, Uri Tracy,

Killian K. Van Rensselaer, Adam Boyd, James Cox, William Helms, Jacob Hufty, Thomas Newbold, Henry Southard, William Anderson, David Bard, Robert Brown, William Crawford, William Findley, Robert Jenkins, Aaron Lyle, William Milnor, John Porter, Matthias Richards, John Ross, George Smith, Samuel Smith, Robert Whitehill, John Brown, John Campbell, Charles Goldsborough, Philip B. Key, Alexander McKim, John Montgomery, Nicholas R. Moore, Roger Nelson, Archibald Van Horn, Burwell Bassett, William A. Burwell, Matthew Clay, John Dawson, John W. Eppes, James Breckenridge, Thomas Gholson, jun., Peterson Goodwyn, Edwin Gray, John G. Jackson, Walter Jones, Joseph Lewis, jun., John Love, Thomas Newton, John Randolph, John Roane, Daniel Sheffey, John Smith, James Stephenson, Jacob Swoope, Willis Alston, jun., Thomas Cochran, Meshack Franklin, James Holland, Thomas Kenan, William Kennedy, Nathaniel Macon, Archibald McBride, Lemuel Sawyer, Richard Stanford, John Stanley, Lemuel J. Alston, William Butler, Joseph Calhoun, Robert Marion, Thomas Moore, John Taylor, Robert Witherspoon, William W. Bibb, Howell Cobb, Dennis Smelt, George M. Troup, Henry Crist, Joseph Desha, Benjamin Howard, Richard M. Johnson, Matthew Lyon, Samuel McKee, Pleasant M. Miller, John Rhea, and Jeremiah Morrow.

George Poindexter having also appeared and produced his credentials, as the Delegate from the Mississippi Territory of the United States, the said oath was administered to him by the Speaker.

The same oath, together with the oath of office, prescribed by the said recited act, were also administered by Mr. Speaker to the Clerk.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker :* I am directed to inform this House that a quorum of the Senate is assembled, and ready to proceed to business. I am also directed to inform this House that the Senate have appointed a committee on their part, jointly, with such committee as the House of Representatives may appoint, on their part, to wait on the President of the United States, and inform him that a quorum of the two Houses is assembled, and ready to receive any communications he may be pleased to make to them. And then he withdrew.

On motion,

*Ordered,* That a message be sent to the Senate to inform them that a quorum of this House is assembled, and have elected Joseph B. Varnum, one of the Representatives for the State of Massachusetts, their Speaker ; and that the Clerk of this House do go with the said message.

On motion,

*Resolved,* That Mr. Macon and Mr. John G. Jackson be appointed a committee on the part of this House, jointly, with the committee appointed on the part of the Senate, to wait on the President of the United States, and inform him that a quorum of the two Houses is assembled, and ready to receive any communication that he may be pleased to make to them.

*Ordered,* That the Clerk of this House do acquaint the Senate therewith.

On motion of Mr. Holland,

*Resolved,* That the rules and orders established by the late House of Representatives, shall be deemed and taken to be the rules and orders of proceeding to be observed in this House, until a revision or alteration of the same shall take place.

The House proceeded, by ballot, to the appointment of a Sergeant-at-Arms upon examining the ballots, a majority of the votes of the whole House was found in favor of Thomas Dunn.

*Ordered,* That the said Thomas Dunn do give his attendance accordingly.

The House then proceeded, in like manner, to the election of a Doorkeeper ; and, upon examining the ballots, it appeared that Thomas Claxton was duly elected.

*Ordered,* That the said Thomas Claxton do give his attendance accordingly.

The House again, in like manner, proceeded to the choice of an Assistant Doorkeeper ; and, upon examining the ballots, it appeared that Benjamin Burch was duly elected.

*Ordered,* That the said Benjamin Burch do give his attendance accordingly.

Mr. Macon, from the joint committee appointed to wait on the President of the United States, reported that the committee had performed the service assigned to them, and that the President signified that he would make a communication to Congress to-morrow at twelve o'clock.

On motion of Mr. Dawson,

*Resolved,* That, unless otherwise ordered, the daily hour to which the House shall stand adjourned during the present session, be ten o'clock in the forenoon.

And then the House adjourned until to-morrow morning ten o'clock.

TUESDAY, MAY 23, 1809. -

Several other members, to wit: From Massachusetts, Samuel Taggart; from New York, Vincent Matthews; from Pennsylvania, Daniel Heister; and from North Carolina, Joseph Pearson; appeared, produced their credentials, and took their seats; the oath to support the Constitution of the United States being first administered to them by Mr. Speaker.

The proceedings of yesterday being read by the Clerk,

A motion was made by Mr. Randolph, and seconded, to amend that clause of the same which relates to the choice of a Speaker, by inserting after the word "ballots," the following: "The tellers reported that the whole number of ballots were one hundred and twenty; that sixty votes were found in favor of Joseph B. Varnum, of Massachusetts; thirty-six votes in favor of Nathaniel Macon, of North Carolina; twenty votes in favor of Timothy Pitkin, junior, of Connecticut; one vote in favor of Roger Nelson, of Maryland; one vote in favor of Charles Goldsborough, of Maryland; and two blank ballots."

"On motion of Mr. Randolph,

"The House proceeded to a second ballot, and, on examining the ballots, the tellers reported that the whole number of ballots given were one hundred and nineteen; that sixty-five votes, being a majority of the whole number of members present, were found in favor of Joseph B. Varnum; for Nathaniel Macon, forty-five votes; for Timothy Pitkin, junior, six; for Benjamin Howard, one; for Roger Nelson, one; and for Charles Goldsborough, one."

And the same being under debate,

A message was received from the President of the United States, by Mr. Graham: When it was

*Ordered*, That the said amendment do lie on the table.

The message from the President of the United States was then read, and is as follows:

*Fellow citizens of the Senate and of the House of Representatives:*

On this first occasion of meeting you, it affords me much satisfaction to be able to communicate the commencement of a favorable change in our foreign relations; the critical state of which induced a Session of Congress at this early period.

In consequence of the provisions of the act interdicting commercial intercourse with Great Britain and France, our Ministers at London and Paris were, without delay, instructed to let it be understood by the French and British Governments, that the authority vested in the Executive, to renew commercial intercourse with their respective nations, would be exercised in the case specified by that act.

Soon after these instructions were despatched, it was found that the British Government anticipating, from early proceedings of Congress, at their last session, the state of our laws, which has had the effect of placing the two belligerent Powers on a footing of equal restrictions, and relying on the conciliatory disposition of the United States, had transmitted to their legation here provisional instructions, not only to offer satisfaction for the attack on the frigate Chesapeake, and to make known the determination of his Britannic Majesty to send an Envoy Extraordinary with powers to conclude a treaty on all the points between the two countries; but, moreover, to signify his willingness, in the mean time, to withdraw his Orders in Council, in the persuasion that the intercourse with Great Britain would be renewed on the part of the United States.

These steps of the British Government led to the correspondence and the proclamation now laid before you; by virtue of which, the commerce between the two countries will be renewable after the tenth day of June next.

Whilst I take pleasure in doing justice to the councils of his Britannic Majesty, which no longer adhering to the policy which made an abandonment by France of her decrees a pre-requisite to a revocation of the British orders, have substituted the amicable course which has issued thus happily; I cannot do less than refer to the proposal heretofore made on the part of the United States, embracing a like restoration of the suspended commerce, as a proof of the spirit of accommodation which has at no time been intermitted, and to the result which now calls for our congratulations, as corroborating the principles by which the public councils have been guided, during a period of the most trying embarrassments.

The discontinuance of the British orders, as they respect the United States, having been thus arranged, a communication of the event has been forwarded, in one of our public vessels, to our Minister Plenipotentiary at Paris; with instructions to avail himself of the important addition thereby made to the considerations which press on the justice of the French Government a revocation of its decrees, or such a modification of them as that they shall cease to violate the neutral commerce of the United States.

The revision of our commercial laws, proper to adapt them to the arrangement which has taken place with Great Britain, will doubtless engage the early attention of Congress. It will be worthy, at the same time, of their just and provident care, to make such further alterations in the laws as will more especially protect and foster the several branches of manufacture, which have been recently instituted or extended by the laudable exertions of our citizens.

Under the existing aspect of our affairs, I have thought it not inconsistent with a just precaution, to have the gun-boats, with the exception of those at New Orleans, placed in a situation incurring no expense beyond that requisite for their preservation and conveniency for future service; and to have the crews of those at New Orleans reduced to the number required for their navigation and safety.

I have thought, also, that our citizens detached in quotas of militia, amounting to one hundred thousand, under the act of March, one thousand eight hundred and eight, might, not improperly, be relieved from the state in which they were held for immediate service. A discharge of them has been accordingly directed.

The progress made in raising and organizing the additional military force, for which provision was made by the act of April, one thousand eight hundred and eight, together with the disposition of the troops, will appear by a report which the Secretary of War is preparing, and which will be laid before you.

Of the additional frigates required by an act of the last session to be fitted for actual service, two are in readiness, one nearly so, and the fourth is expected to be ready in the month of July. A report which the Secretary of the Navy is preparing on the subject, to be laid before Congress, will shew, at the same time, the progress made in officering and manning these ships. It will shew, also, the degree in which the provisions of the act relating to the other public armed ships, have been carried into execution.

It will rest with the judgment of Congress to decide how far the change in our external prospects may authorize any modifications of the laws relating to the Army and Navy Establishments.

The works of defence for our seaport towns and harbors have proceeded with as much activity as the season of the year and other circumstances would admit. It is necessary, however, to state, that the appropriations hitherto made being found to be deficient, a further provision will claim the early consideration of Congress.

The whole of the eight per cent. stock remaining due by the United States, amounting to five millions three hundred thousand dollars, had been reimbursed on the last day of the year 1808. And on the first day of April last, the sum in the Treasury exceeded nine and a half millions of dollars. This, together with the receipts of the current year on account of former revenue bonds, will probably be nearly, if not altogether sufficient to defray the expenses of the year. But the suspension of exports and the consequent decrease of importations, during the last twelve months, will necessarily cause a great diminution in the receipts of the year one thousand eight hundred and ten. After that year, should our foreign relations be undisturbed, the revenue will again be more than commensurate to all the expenditures.

Aware of the inconveniences of a protracted session, at the present season of the year, I forbear to call the attention of the Legislature to any matters not particularly urgent. It remains, therefore, only to assure you of the fidelity and alacrity with which I shall co-operate for the welfare and happiness of our country; and to pray that it may experience a continuance of the Divine blessings by which it has been so signally favored.

JAMES MADISON.

*Ordered*, That the said message, and documents accompanying the same, be committed to the Committee of the Whole House on the State of the Union.

A message from the Senate, by Mr. Otis, their Secretary:

*Mr. Speaker*: The Senate have resolved that two Chaplains, of different denominations, be appointed to Congress for the present session, one by each House, who shall interchange weekly. And then he withdrew.

The House then resumed the consideration of the amendment proposed by Mr. Randolph to the Journal.

And the question being taken thereupon,

It was resolved in the affirmative.

A motion was made by Mr. John G. Jackson, and seconded, to amend the Journal of yesterday's proceedings, by striking out the words

"*Ordered*, That the said Thomas Dunn do give his attendance accordingly."

And the question being taken thereupon,  
It was determined in the negative.

The House proceeded to consider the resolution of the Senate for the appointment of Chaplains; and the same being read, was, upon the question put thereon, agreed to by the House.

*Ordered*, That the Clerk do acquaint the Senate therewith.

A motion was made by Mr. Willis Alston, and seconded, to proceed to the appointment of the Standing Committees, pursuant to the Rules and Orders of the House: When

Another motion was made by Mr. Lyon, and seconded, to amend the said motion, by adding the words "by ballot:"

And the question being taken upon the said amendment,

It was determined in the negative, { Yeas ..... 41,  
  { Nays ..... 67.

The yeas and nays being demanded by one-fifth of the members present;

Those who voted in the affirmative, are,

Burwell Bassett,  
William W. Bibb,  
Daniel Blaisdell,  
John Campbell,  
John C. Chamberlain,  
William Chamberlin,  
Matthew Clay,  
Howell Cobb,  
James Cochran,  
John Dawson,  
James Emott,  
John W. Eppes,  
Barent Garderier,  
Thomas R. Gold,  
Edwin Gray,  
Nathaniel A. Haven,  
Daniel Heister,  
James Holland,  
Robert Jenkins,  
Walter Jones,  
Thomas Kenan,

Philip B. Key,  
Herman Knickerbacker,  
Joseph Lewis, jun.  
Robert Le Roy Livingston,  
Matthew Lyon,  
Vincent Matthews,  
Archibald McBryde,  
Pleasant M. Miller,  
William Milnor,  
Joseph Pearson,  
John Randolph,  
Lemuel Sawyer,  
Daniel Sheffey,  
Samuel Smith,  
Richard Stanford,  
John Stanley,  
James Stephenson,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Laban Wheaton.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
David Bard,  
Adam Boyd,  
James Breckenridge,  
John Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
Epaphroditus Champion,  
James Cox,  
William Crawford,  
Henry Crist,  
Richard Cutts,  
Joseph Desha,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
Peterson Goodwyn,

Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,  
Richard M. Johnson,  
William Kennedy,  
John Love,  
Aaron Lyle,  
Nathaniel Macon,  
Robert Marion,  
Samuel McKee,  
John Montgomery,  
Thomas Moore,  
Jeremiah Morrow,  
Roger Nelson,  
Thomas Newbold,  
Thomas Newton,  
John Nicholson,  
Benjamin Pickman, jr.  
John Porter,  
Peter B. Porter,  
Josiah Quincy,  
John Rea, of *Pennsylvania*,  
John Rhea, of *Tennessee*,  
Matthias Richards.

John Roane,  
John Ross,  
Ebenezer Sage,  
Thomas Sammons,  
Ebenezer Seaver,  
Samuel Shaw,  
George Smith,  
John Smith,  
Henry Southard,  
William Stedman,

Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Benjamin Tallmadge,  
John Taylor,  
John Thompson,  
Uri Tracy,  
Robert Whitehill,  
Robert Witherspoon.

The question then recurred on the original motion : Whereupon,  
*Ordered*, That a Committee of Elections be appointed, pursuant to the standing rules and orders of the House :

And a committee was appointed, of Mr. Findley, Mr. Clay, Mr. Sturges, Mr. Troup, Mr. Taylor, Mr. Van Rensselaer, and Mr. Gannett.

*Ordered*, That a Committee of Claims be appointed, pursuant to the standing rules and orders of this House :

And a committee was appointed, of Mr. Johnson, Mr. Seaver, Mr. Butler, Mr. Pitkin, Mr. Robert Brown, Mr. Jones, and Mr. Stanley.

*Ordered*, That a Committee of Commerce and Manufactures be appointed, pursuant to the standing rules and orders of the House :

And a committee was appointed, of Mr. Newton, Mr. Dana, Mr. Marion, Mr. Cutts, Mr. Mumford, Mr. John Porter, and Mr. McKim.

*Ordered*, That a Committee of Ways and Means be appointed, pursuant to the standing rules and orders of the House :

And a committee was appointed, of Mr. Eppes, Mr. Willis Alston, Mr. Tallmadge, Mr. Montgomery, Mr. Bacon, Mr. Rea, of Pennsylvania, and Mr. Haven.

*Ordered*, That a Committee on the Public Lands be appointed, pursuant to the standing rules and orders of the House :

And a committee was appointed, of Mr. Morrow, Mr. Goodwyn, Mr. Bibb, Mr. Ely, Mr. Boyd, Mr. Howard, and Mr. Sammons.

*Ordered*, That a Committee of Revisal and Unfinished Business be appointed, pursuant to the standing rules and orders of the House :

And a committee was appointed, of Mr. Southard, Mr. Richard Jackson, and Mr. Shaw.

*Ordered*, That a Committee of Accounts be appointed, pursuant to the standing rules and orders of the House :

And a committee was appointed, of Mr. Nicholas R. Moore, Mr. Stedman, and Mr. Milnor.

*Ordered*, That a Committee for the District of Columbia be appointed, pursuant to the standing rules and orders of the House :

And a committee was appointed, of Mr. Love, Mr. Holland, Mr. Van Horn, Mr. Lemuel J. Alston, Mr. Newbold, Mr. Samuel Smith, and Mr. Gardenier.

*Ordered*, That a Committee on the Post Offices and Post Roads be appointed, pursuant to the standing rules and orders of the House :

And a committee was appointed, of Mr. Rhea, of Tennessee, Mr. Helms, Mr. Thompson, Mr. Desha, Mr. Kenan, Mr. Calhoun, Mr. Smelt, Mr. Morrow, Mr. Davenport, Mr. Chittenden, Mr. Goldsborough, Mr. Whitehill, Mr. Potter, Mr. John Smith, Mr. Upham, Mr. Wilson, and Mr. Bard.

The Speaker laid before the House several letters from the Governor of the State of Virginia, enclosing certificates of the election of the Representatives of that State in the Eleventh Congress of the United States.

*Ordered*, That the said certificates, together with the credentials of the members of the House from the several States and Territories be referred to the Committee of Elections.

On motion of Mr. Stedman, and seconded,

*Resolved*, That the Clerk of this House cause the members to be furnished, during the present session, with three newspapers to each member, such as the members, respectively, shall choose, to be delivered at their lodgings ; and that if any member shall choose to take any newspaper other than a daily paper he shall be furnished with as many of such papers as shall not exceed the price of a daily paper.

And then the House adjourned until to-morrow morning ten o'clock.

WEDNESDAY, MAY 24, 1809.

Another member, to wit: Gurdon S. Mumford, from New York, appeared, produced his credentials, and took his seat; the oath to support the Constitution of the United States being first administered to him by Mr. Speaker.

Mr. Livermore presented a petition of sundry inhabitants of Newburyport, in the State of Massachusetts, whose names are thereunto subscribed, praying that the light-house at the entrance of the harbor of Newburyport aforesaid may be rebuilt.

Mr. Anderson presented a petition of John B. Sarazin, and others, of the State of Pennsylvania, whose names are thereunto subscribed, praying, for the reasons therein mentioned, relief against a decision of the Secretary of the Treasury in the case of a bond given by them to the United States, agreeably to the provisions of an act supplemental to the act laying an embargo, for permission to despatch a vessel to the Havana to import American property.

The said petitions were read, and referred to the Committee of Commerce and Manufactures.

A motion was made by Mr. John G. Jackson, and seconded, to amend the journal of yesterday, by inserting after the reference of the message from the President of the United States, the following order:

“*Ordered*, That five thousand copies of the said message and documents be printed for the use of the members of Congress:”

And the question being taken thereupon,

It was resolved in the affirmative.

Mr. Bacon presented a petition of Charles Turner, junior, of the district of Plymouth, and State of Massachusetts, praying that William Baylies, one of the members returned to serve in this House for the State of Massachusetts, may be declared not duly elected, and that he may be admitted to a seat in the House as the Representative in the place of the said William Baylies, whose election and return he declares to be illegal.

Mr. Bacon also presented a petition of sundry inhabitants of the said district of Plymouth, praying that the above named petitioner, Charles Turner, junior, may be admitted to his seat in the House, he being, in their opinion, fairly, legally, and constitutionally elected.

The said petitions were read, and referred to the Committee of Elections.

A message from the Senate, by Mr. Otis, their Secretary:

*Mr. Speaker*: The Senate have elected the Reverend Mr. Wilmer Chaplain to Congress, on their part. And then he withdrew.

A motion was made by Mr. Randolph, and seconded, that the House do come to the following resolutions:

*Resolved*, That the troops raised under the act of the twelfth of April, one thousand eight hundred and eight, entitled “An act to raise, for a limited time, an additional military force,” be immediately disbanded; and that the balance of appropriation remaining unexpended in relation to the same, and any balance of appropriation for gun-boats which may remain unexpended, be applied towards arming and equipping the whole body of the militia of the United States.

*Resolved*, That a committee be appointed to inquire and report whether moneys drawn from the Treasury since the third of March, one thousand eight hundred and one, have been faithfully applied to the objects for which they were appropriated, and whether the same have been regularly accounted for; and to report, likewise, whether any further arrangements are necessary to promote economy, enforce adherence to legislative restrictions, and secure the accountability of persons entrusted with public money.

A motion was made by Mr. Randolph, and seconded, that the House proceed to the consideration of the said proposed resolutions:

And the question being put thereupon,

It was unanimously agreed to by the House, every member present voting in the affirmative, to wit:

Lemuel J. Alston,  
Willis Alston, junior,  
William Anderson,  
Ezekiel Bacon,  
William Baylies,  
David Bard,  
Burwell Bassett,

William W. Bibb,  
Daniel Blaisdell,  
Adam Boyd,  
James Breckenridge,  
John Brown,  
Robert Brown,  
William A. Burwell,

William Butler,  
 John Campbell,  
 John C. Chamberlain,  
 William Chamberlin,  
 Epaphroditus Champion,  
 Martin Chittenden,  
 Howell Cobb,  
 James Cochran,  
 James Cox,  
 William Crawford,  
 Henry Crist,  
 Richard Cutts,  
 Samuel W. Dana,  
 John Davenport, junior,  
 John Dawson,  
 Joseph Desha,  
 William Ely,  
 James Emott,  
 John W. Eppes,  
 William Findley,  
 Jonathan Fisk,  
 Meshack Franklin,  
 Barzillai Gannett,  
 Gideon Gardner,  
 Thomas Gholson, jun.  
 Charles Goldsborough,  
 Peterson Goodwyn,  
 Thomas R. Gold,  
 Edwin Gray,  
 Nathaniel A. Haven,  
 Daniel Heister,  
 William Helms,  
 Benjamin Howard,  
 Jonathan H. Hubbard,  
 Jacob Hufty,  
 John G. Jackson,  
 Richard Jackson,  
 Robert Jenkins,  
 Richard M. Johnson,  
 Walter Jones,  
 Thomas Kenan,  
 William Kennedy,  
 Philip B. Key,  
 Herman Knickerbacker,  
 Joseph Lewis, junior,  
 Edward St. Loe Livermore,  
 Robert Le Roy Livingston,  
 John Love,  
 Matthew Lyon,  
 Aaron Lyle,  
 Nathaniel Macon,

Robert Marion,  
 Vincent Matthews,  
 Archibald M'Bryde,  
 Samuel M'Kee,  
 Alexander M'Kim,  
 Pleasant M. Miller,  
 William Milnor,  
 John Montgomery,  
 Nicholas R. Moore,  
 Thomas Moore,  
 Jeremiah Morrow,  
 Jonathan O. Mosely,  
 Roger Nelson,  
 Thomas Newbold,  
 Thomas Newton,  
 Joseph Pearson,  
 Benjamin Pickman, jun.,  
 Timothy Pitkin, jun.,  
 John Porter,  
 Peter B. Porter,  
 Elisha R. Potter,  
 Josiah Quincy,  
 John Randolph,  
 John Rea, of *Pennsylvania*,  
 John Rhea, of *Tennessee*,  
 John Roane,  
 John Ross,  
 Ebenezer Sage,  
 Lemuel Sawyer,  
 Daniel Sheffey,  
 Dennis Smelt,  
 George Smith,  
 Samuel Smith,  
 Henry Southard,  
 Richard Stanford,  
 John Stanley,  
 William Stedman,  
 James Stephenson,  
 Lewis B. Sturges,  
 Jacob Swoope,  
 Samuel Taggart,  
 Benjamin Tallmadge,  
 John Taylor,  
 George M. Troup,  
 Jabez Upham,  
 Archibald Van Horn,  
 Killian K. Van Rensselaer,  
 Laban Wheaton,  
 Robert Whitehill,  
 James Wilson,  
 Robert Witherspoon.

A motion was then made by Mr. Randolph, and seconded, to refer the first of the said resolutions to a select committee, with leave to report by bill, or otherwise.

A division of the question upon referring the said first resolution was called for by Mr. Lyon, to take place after the word "disbanded."

A motion was then made by Mr. John G. Jackson, and seconded, that the resolution aforesaid be referred to the Committee of the Whole House on the state of the Union :

And the question to refer to the Committee of the Whole House on the state of the Union being taken upon the first member of the said resolution as proposed to be divided by Mr. Lyon, and to read in the words following, to wit :

"*Resolved*, That the troops raised under the act of the twelfth of April, one thousand eight hundred and eight, entitled 'An act to raise, for a limited time, an additional military force,' be immediately disbanded."

It was resolved in the affirmative.

The question to refer to the said Committee of the Whole House was then taken upon the second member of the same, contained in the words following, to wit: "and that the balance of appropriation remaining unexpended in relation to the same, and any balance of appropriation for gun boats, which may remain unexpended, be applied towards arming and equipping the whole body of the militia of the United States :

And resolved in the affirmative.

The second of the proposed resolutions was then again read at the Clerk's table, and the question being taken thereupon,

It was unanimously agreed to by the House, every member present voting in the affirmative, to wit :

Lemuel J. Alston,  
 Willis Alston, jun.  
 William Anderson,  
 Ezekiel Bacon,  
 William Baylies,  
 David Bard,  
 Burwell Bassett,  
 William W. Bibb,  
 Daniel Blaisdell,  
 Adam Boyd,  
 James Breckenridge,  
 John Brown,  
 Robert Brown,  
 William A. Burwell,  
 William Butler,  
 Joseph Calhoun,  
 John Campbell,  
 John C. Chamberlain,  
 William Chamberlin,  
 Martin Chittenden,  
 Matthew Clay,  
 Howell Cobb,  
 James Cochran,  
 James Cox,  
 William Crawford,  
 Henry Crist,  
 Richard Cutts,  
 Samuel W. Dana,  
 John Davenport, jun.  
 John Dawson,  
 Joseph Desha,  
 William Ely,  
 John W. Eppes,  
 William Findley,  
 Jonathan Fisk,  
 Meshack Franklin,  
 Barzillai Gannett,  
 Barent Gardenier,  
 Gideon Gardner,  
 Thomas Gholson, jun.  
 Charles Goldsborough,  
 Peterson Goodwyn,  
 Thomas R. Gold,  
 Edwin Gray,  
 William Hale,  
 Nathaniel A. Haven,  
 Daniel Heister,  
 William Helms,  
 James Holland,  
 Benjamin Howard,  
 Jonathan H. Hubbard,  
 Jacob Hufty,  
 John G. Jackson,  
 Richard Jackson,

Robert Jenkins,  
 Richard M. Johnson,  
 Walter Jones,  
 Thomas Kenan,  
 William Kennedy,  
 Philip B. Key,  
 Herman Knickerbacker,  
 Joseph Lewis, jun.  
 Edward St. Loe Livermore,  
 John Love,  
 Matthew Lyon,  
 Aaron Lyle,  
 Nathaniel Macon,  
 Robert Marion,  
 Vincent Matthews,  
 Archibald M'Bride,  
 Samuel M'Key,  
 Alexander M'Kim,  
 Pleasant M. Miller,  
 William Milnor,  
 John Montgomery,  
 Nicholas R. Moore,  
 Thomas Moore,  
 Jeremiah Morrow,  
 Jonathan O. Mosely,  
 Gurdon S. Mumford,  
 Roger Nelson,  
 Thomas Newbold,  
 Thomas Newton,  
 John Nicholson,  
 Joseph Pearson,  
 Benjamin Pickman, jun.  
 Timothy Pitkin, jun.  
 John Porter,  
 Peter B. Porter,  
 Elisha R. Potter,  
 Josiah Quincy,  
 John Randolph,  
 John Rhea, of Tennessee,  
 Matthias Richards,  
 John Roane,  
 John Ross,  
 Ebenezer Sage,  
 Thomas Sammons,  
 Lemuel Sawyer,  
 Ebenezer Seaver,  
 Samuel Shaw,  
 Daniel Sheffey,  
 Dennis Smelt,  
 George Smith,  
 John Smith,  
 Samuel Smith,  
 Henry Southard,  
 Richard Stanford,

William Helms,  
Jonathan H. Hubbard,  
Richard Jackson,  
Robert Jenkins,  
Walter Jones,  
Philip B. Key,  
Herman Knickerbacker,  
Joseph Lewis, jun.  
Edward St. Loe Livermore,  
Matthew Lyon,  
Vincent Matthews,  
Pleasant M. Miller,  
William Milnor,  
Nicholas R. Moore,  
Jonathan O. Mosely,  
Joseph Pearson,  
Timothy Pitkin, jun.  
Elisha R. Potter,

Josiah Quincy,  
John Randolph,  
Thomas Sammons,  
Daniel Sheffey,  
Dennis Smelt,  
George Smith,  
Richard Stanford,  
John Stanley,  
William Stedman,

James Stephenson,  
Lewis B. Sturges,  
Benjamin Tallmadge,  
Jabez Upham,  
Archibald Van Horn,  
Laban Wheaton,  
James Wilson,  
Robert Witherspoon.

An adjournment was then called for : When,  
The House adjourned until to-morrow morning ten o'clock.

THURSDAY. MAY 25, 1809.

Mr. Marion presented a petition of Ab. Motte, of Charleston, in the State of South Carolina, praying to be allowed the balance of his pay, with interest, as one of the principal Assessors for the State of South Carolina, under the act laying and collecting a direct tax within the United States.

The said petition was read, and ordered to be referred to the Committee of Claims.

The Speaker laid before the House a letter from the Secretary of the Navy, transmitting a report of the state and disposition, at this time, of the vessels belonging to the Navy of the United States, and of the gun-boats; which were read, and ordered to lie on the table.

Mr. Nelson presented a memorial of the manufacturers of hats residing in Fredericktown, State of Maryland, whose names are thereunto subscribed, praying that an additional duty may be laid on the importation of hats of foreign manufacture, or that the importation thereof may be entirely prohibited.

The said petition was read, and referred to the Committee of Commerce and Manufactures.

On motion of Mr. Newton, and seconded,

*Resolved*, That the Committee of Commerce and Manufactures be instructed to inquire into the expediency of permitting all ships or vessels owned by citizens or subjects of any foreign nation with which commercial intercourse is permitted by the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," to take on board cargoes of domestic or foreign produce, and to depart with the same for any foreign port or place, with which such intercourse is, or shall, at the time of their departure respectively, be permitted, in the same manner and on the same conditions as is provided by the act aforesaid, for vessels owned by citizens of the United States; and that they have leave to report by bill, or otherwise.

Mr. Newton, from the Committee of Commerce and Manufactures, to whom the above recited resolution was referred, presented, according to order, a bill respecting the ships or vessels owned by citizens or subjects of foreign nations, with which commercial intercourse is permitted; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Cutts,

*Ordered*, That the several petitions of sundry owners and mariners of fishing vessels, residing in the districts of Kennebunk, of Portland, and Falmouth, and of Wiscasset, in the State of Massachusetts, presented to this House, on the twenty-second and twenty-eighth of December last, be referred to the Committee of Commerce and Manufactures.

Mr. Lewis presented a petition of sundry freeholders and inhabitants of the counties of Loudoun and Fairfax, in the State of Virginia, whose names are thereunto subscribed, praying a reduction of the fees allowed to the Flour Inspector of the town of Alexandria, in the District of Columbia.

The said petition was read, and referred to the Committee for the District of Columbia.

On motion of Mr. Southard, and seconded,

*Resolved*, That this House will, to-morrow, at twelve o'clock, proceed, by ballot, to the appointment of a Chaplain to Congress, on their part.

Mr. M'Kim presented a petition of George Vaughan, praying to be placed on the pension list of the United States, in consideration of wounds received whilst a lieute-

nant in the Pennsylvania line of the Continental army, during the Revolutionary war with Great Britain.

The said petition was read, and ordered to be referred to the Secretary of War, with instruction to examine the matter thereof, and report the same, with his opinion thereupon, to the House.

Mr. Findley presented a memorial of Arthur St. Clair, a Major General in the army of the United States, during the Revolutionary war with Great Britain, praying the reimbursement of a sum of money advanced by him on public account, in the year one thousand seven hundred and seventy-six, for the purpose of re-enlisting the troops then in service in the Northern Department, in order to form the permanent army then organizing agreeably to a resolution of Congress.

The said petition was read, and referred to the Committee of Claims.

Mr. Bard presented a petition of sundry inhabitants of Mifflin county, in the State of Pennsylvania, whose names are thereunto subscribed, praying the establishment of a post route from Lewistown to Bellefonte, in the said State.

Mr. Wheaton presented a petition of sundry inhabitants of the State of Massachusetts, whose names are thereunto subscribed, praying that the new turnpike road from Taunton to Boston may be established as a post road.

The said petitions were read, and referred to the Committee on Post Office and Post Roads.

On motion of Mr. Milnor,

*Ordered*, That the memorial of sundry merchants, of the city of Philadelphia, signed by William Davy and others, their committee, presented to this House on the twenty-sixth of November, one thousand eight hundred and seven, be referred to the Committee of Commerce and Manufactures.

Mr. Anderson presented a petition of sundry inhabitants and freeholders of the town of Marcus Hook, in the State of Pennsylvania, whose names are thereunto subscribed, praying compensation for the ground on which the public piers in the river Delaware are erected.

The said petition was read, and ordered to be referred to the Committee of Commerce and Manufactures.

A motion was made by Mr. Livermore, and seconded, that the House do come to the following resolution :

*Resolved*, That it is expedient that the operation of so much of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies," as inhibits the importation of goods from Great Britain and its dependencies, be suspended until the tenth day of June next.

The said proposed resolution was read, and ordered to be referred to the Committee of Commerce and Manufactures, with leave to report thereon, by bill or otherwise.

A motion was made by Mr. Randolph, and seconded, that the House do come to the following resolution :

*Resolved*, That a committee be appointed to inquire whether any, and what, prosecutions have been instituted before courts of the United States for libel at common law, and by what authority ; and to report such provision as, in their opinion, may be necessary for securing the freedom of speech and of the press :

And, after debate,

The question was taken thereupon,

And resolved in the affirmative.

*Ordered*, That Mr. Randolph, Mr. Holland, Mr. Dana, Mr. Howard, and Mr. Tracy, be appointed a committee, pursuant to the said resolution.

Another motion was made by Mr. Randolph, and seconded, that the House do come to the following resolution :

*Resolved*, That provision ought to be made, by law, to secure the right to an impartial jury, in all cases, civil and criminal, maintained in the courts of the United States.

*Ordered*, That the said proposed resolution do lie on the table.

And then the House adjourned until to-morrow morning ten o'clock.

FRIDAY, MAY 26, 1809.

Another member, to wit : Robert Weakley, from Tennessee, appeared, produced his credentials, and took his seat ; the oath to support the Constitution of the United States being first administered to him by Mr. Speaker.

The Speaker laid before the House a letter from the Governor of the State of Virginia, enclosing the certificate of the election of John G. Jackson to serve as one of the Re-

representatives for that State in the Eleventh Congress of the United States ; which were read, and ordered to be referred to the Committee of Elections.

On motion of Mr. Morrow, and seconded,

*Resolved*, That the Committee on the Public Lands be directed to inquire what further provision is necessary to be made for the disposal of the public lands in the Mississippi Territory, ceded by the Cherokees and Chickasaws ; and that they report, by bill or otherwise.

On motion of Mr. Morrow, and seconded,

*Resolved*, That the Committee on the Public Lands be instructed to inquire into the expediency of authorizing the appointment of an agent, whose duty it shall be to appear before the Board of Commissioners for adjusting the claims to land in the District of Kaskaskia, in behalf of the United States, to investigate the claims for lands, and to oppose all such as may appear to be fraudulent and unfounded ; and, also, to inquire whether any, and, if any, what, additional compensation ought to be allowed the said Commissioners and their Clerk, for services rendered in the year one thousand eight hundred and eight ; and that the committee have leave to report by bill, or otherwise.

The House then, according to the order of the day, resolved itself into the Committee of the Whole House on the state of the Union ; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Pitkin reported that the committee had, according to order, had the state of the Union under consideration, and come to several resolutions thereupon ; which he delivered in at the Clerk's table, where the same were read, as follow :

1. *Resolved*, That so much of the message of the President of the United States as respects our relations with foreign nations, be referred to a select committee.

2. *Resolved*, That so much of the message of the President of the United States as relates to a revision of our commercial laws, for the purpose of protecting and fostering the manufactures of the United States, be referred to the Committee of Commerce and Manufactures.

3. *Resolved*, That so much of the message of the President of the United States as relates to the modifications of the military and naval establishments of the United States, be referred to a select committee.

4. *Resolved*, That so much of the message from the President of the United States as relates to the fortification of our sea port towns, be referred to a select committee.

5. *Resolved*, That so much of the message from the President of the United States as relates to the revenue and expenditures of the United States, be referred to the Committee of Ways and Means.

The House proceeded to consider the said resolutions at the Clerk's table ; and, the same being again read, were, upon the question severally put thereon, agreed to by the House.

*Ordered*, That Mr. John G. Jackson, Mr. Macon, Mr. Thomas Moore, Mr. Mosely, Mr. Quincy, Mr. Trosp, Mr. Johnson, Mr. Fisk, and Mr. Anderson, be appointed a committee, pursuant to the first resolution.

*Ordered*, That Mr. Cutts, Mr. Bassett, Mr. Milnor, Mr. Sawyer, Mr. Hale, Mr. John Brown, and Mr. Sage, be appointed a committee, pursuant to the third resolution.

*Ordered*, That Mr. Burwell, Mr. Key, Mr. Kennedy, Mr. George Smith, Mr. Peter B. Porter, Mr. Gardner, and Mr. William Chamberlin, be appointed a committee, pursuant to the fourth resolution.

On motion of Mr. Quincy,

*Ordered*, That the petition of Nathaniel Fosdick, presented to this House on the twenty-sixth of February, one thousand eight hundred and eight, be referred to the Committee of Ways and Means.

On motion of Mr. Pickman,

*Ordered*, That the several petitions of Joseph Wilson, Collector of Marblehead, of William R. Lee, Collector of Salem and Beverly, of Asa Andrews, Collector of Ipswich, and of Henry Warren, Collector of Plymouth, in the State of Massachusetts, presented to this House on the twenty-first of December and the sixth of February last, be referred to the Committee of Commerce and Manufactures.

Mr. Love presented a petition of sundry inhabitants of the city of Washington, whose names are thereunto subscribed, praying that a company be incorporated for the purpose of opening a turnpike road from the city of Washington to the boundary of the District of Columbia, so as to communicate with a turnpike road proposed to be opened from the said boundary to the city of Baltimore, in the State of Maryland.

The said petition was read, and referred to the Committee for the District of Columbia.

Mr. M'Kim presented a memorial of the manufacturers of hats in the city of Baltimore, whose names are thereunto subscribed, to the like effect, with a memorial of the manufacturers of hats in Fredericktown, presented on the twenty-fifth instant.

*Ordered*, That the said memorial be referred Committee of Commerce and Manufactures.

On motion of Mr. Van Horn, and seconded,

*Resolved*, That the Committee for the District of Columbia be instructed to inquire what amendments are necessary in the act concerning the District of Columbia.

Mr. Quincy presented a petition of sundry inhabitants of the State of Massachusetts, whose names are thereunto subscribed, to the like effect, with a petition of sundry inhabitants of the said State, presented on the twenty-fifth instant.

*Ordered*, That the said petition be referred to the Committee on Post Offices and Post Roads.

On motion of Mr. Pitkin, and seconded,

*Resolved*, That the Secretary of the Navy be directed to lay before this House a statement of the number of gun-boats which have been built, the expense of building and equipping the same ; also, the number that have been employed in actual service, the time they have been employed, and the expense of them while in service.

On motion of Mr. John G. Jackson,

*Ordered*, That the letter and report yesterday received from the Secretary of the Navy be referred to the committee this day appointed on so much of the message from the President of the United States as relates to the military and naval establishments.

On motion of Mr. Johnson,

*Resolved*, That the Committee on Post Offices and Post Roads be directed to inquire into the expediency of establishing a post road from Augusta to Cynthiana, thence to Paris, thence to Mount Sterling ; also, from Frankfort to New Castle, thence to Port William, thence to Boone Court House, thence to Newport ; all in the State of Kentucky.

On motion of Mr. Montgomery,

*Resolved*, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a cross post road from Belle Air in Maryland, to Columbia, on the Susquehannah, in Pennsylvania, by Ramsay's Tavern, Chaunceford Meeting House and the Brogue Tavern.

On motion of Mr. Randolph, and seconded,

*Ordered*, That the committee this day appointed on so much of the message of the President of the United States as relates to the modifications of the military and naval establishments of the United States, be discharged from the consideration of that part of the subject referred to them which relates to the modifications of the military establishment ; and that the same be referred to Mr. Nelson, Mr. Dawson, Mr. Champion, Mr. Lyon, Mr. Taylor, Mr. Livermore, and Mr. Franklin, to consider and report thereon.

On motion of Mr. Randolph, and seconded,

*Ordered*, That the committee of the Whole House on the state of the Union, to whom was committed on the twenty-fourth instant, a resolution proposed by Mr. Randolph for immediately disbanding the troops raised by virtue of "An act to raise, for a limited time, an additional military force," and for applying any balance of appropriation remaining unexpended in relation to the same, and any unexpended balance of appropriation for gun-boats, towards arming and equipping the whole body of the militia of the United States, be discharged from the consideration thereof ; and that the same be referred to the committee last appointed.

A motion was made by Mr. Randolph, and seconded, that the House do come to the following resolution :

*Resolved*, That the promptitude and frankness with which the President of the United States has met the overtures of the Government of Great Britain, towards a restoration of harmony and a free commercial intercourse between the two nations, receives the approbation of this House.

A motion was made by Mr. Bacon, and seconded, to amend the resolution of Mr. Randolph, by adding to the end of the same these words : "and furnishes an additional proof of the spirit of accommodation on the part of the Government of the United States, which has, at no time, been intermitted."

A motion was then made by Mr. John G. Jackson, and seconded, that the proposed resolution and the amendment offered thereto, be postponed indefinitely :

And debate ensuing,

An adjournment was called for : When,

The several orders of the day were farther postponed until to-morrow. And then the House adjourned until to-morrow morning ten o'clock.

SATURDAY, MAY 27, 1809.

On motion of Mr. Bassett, and seconded,

*Resolved*, That a committee be appointed, jointly, with a committee of the Senate, to inquire what business it is requisite should be done at the present session, and report to the House.

*Ordered*, That Mr. Bassett, Mr. Richards, Mr. Wheaton, Mr. Cox, and Mr. Crist, be appointed a committee on the part of this House.

On a motion made, and leave given by the House, Mr. Newton, from the Committee of Commerce and Manufactures, presented, according to order, a bill authorizing the issuing of debentures in certain cases; which was received, and read the first time.

On motion,

The said bill was read the second time, and ordered to be committed to a Committee of the Whole House on Wednesday next.

Mr. Potter presented a petition of sundry inhabitants of the State of Rhode Island, whose names are thereunto subscribed, praying the establishment of a new post route from Boston, in the State of Massachusetts, to Newport, in the State of Rhode Island, so as to pass through the towns of Troy and Freetown.

*Ordered*, That the said petition be referred to the Committee on Post Offices and Post Roads.

On motion of Mr. Baylies,

*Ordered*, That the petition of sundry inhabitants of Bridgewater, in the State of Massachusetts, presented to this House on the eighth of February, one thousand eight hundred and eight, be referred to the committee last mentioned.

Mr. Quincy presented a petition of the sugar refiners in the town of Boston, State of Massachusetts, whose names are thereunto subscribed, praying that a law may be passed granting a drawback on refined sugar exported to any foreign port or place, equal to the duties paid on the importation of brown sugar.

The said petition was read, and referred to the Committee of Commerce and Manufactures.

Mr. Livermore presented a petition of Joseph Savage, of the State of Massachusetts, praying an additional compensation for his services, in bearing to the seat of the General Government, the late electoral votes of Massachusetts for President and Vice President of the United States.

The said petition was read, and referred to the Committee of Claims.

On motion of Mr. Lewis, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post route from the town of Trap, in the State of Maryland, to the town of Waterford, in the State of Virginia.

On motion of Mr. Desha, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post road from Kenhawa Court House, in the State of Virginia, by the mouth of Big Sandy, Greenup Court House, Lewis Court House, to Washington, in the State of Kentucky.

Mr. Howard presented a memorial of Richard Taylor, of the State of Kentucky, stating that he was wounded in the year one thousand seven hundred and ninety-two, whilst a captain in a corps of spies or guides in the army then acting against the hostile Indians; and that, in consideration of the said wound, he was placed on the pension list of the United States, in the year one thousand eight hundred and five, his pension commencing from that time; and praying to be allowed to draw his said pension from the time of his being wounded, as aforesaid.

The said petition was read, and referred to the Committee of Claims.

On motion of Mr. Mumford,

*Ordered*, That the petition of Isaac Clason, of the City of New York, presented to this House on the fifth of January, one thousand eight hundred and seven, be referred to the Committee of the Whole House on the bill authorizing the issuing of debentures in certain cases.

Mr. Poindexter presented a report of the Land Commissioners West of Pearl River, in the Mississippi Territory, together with abstracts of their decisions in the case of non-resident British grants; which were received, and ordered to be referred to the Committee on the Public Lands.

On motion of Mr. Seaver,

*Ordered*, That the petition of Benjamin Franklin Seaver, late owner and master of the brig Indefatigable, of Boston, in the State of Massachusetts, presented to this House on the twenty-first of December last, be referred to Mr. Taggart, Mr. Nicholson, Mr. Jenkins, Mr. Gray, and Mr. M'Bryde, to examine the matter thereof, and report the same, with their opinion thereupon, to the House.

On motion of Mr. Kennedy,

*Ordered*, That the petition of sundry inhabitants of Hyde county, in the State of North Carolina, presented on the nineteenth of December last, be referred to the Committee on Post Offices and Post Roads.

On motion of Mr. John Porter,

*Ordered*, That the petition of Jared Shattuck, by Elliston and John Perot, his attorneys, presented on the twenty-eighth of March, one thousand eight hundred and six, be referred to the Committee of Claims.

On motion of Mr. Nicholas R. Moore, and seconded,

*Resolved*, That Thomas Claxton be, and he is hereby, authorized to employ, under his immediate direction, one additional assistant, five servants, and two horses, for the purpose of performing such services and duties as are usually required by the House of Representatives, during the present and next session of Congress, and for four days after the terminations of each; and that he be allowed therefor nine dollars per day, and be paid out of the fund appropriated for the contingent expenses of the House.

On motion of Mr. Burwell, and seconded,

*Resolved*, That the President of the United States be requested to cause the Secretary of War to lay before this House an estimate of the sums necessary to complete the fortifications commenced or contemplated; and, also, the amount of any deficiency of former appropriations for this object.

On motion of Mr. Gardner, and seconded,

*Ordered*, That the petition of Tristram Hussey, presented to this House on the sixth of February, one thousand eight hundred and four, be referred to the Committee of Commerce and Manufactures.

On motion of Mr. Newton, and seconded,

*Ordered*, That the unfinished business depending yesterday at the time of adjournment, do lie on the table.

The House then, according to the order of the day, resolved itself into a Committee of the Whole House on the bill respecting the ships or vessels owned by citizens or subjects of foreign nations with which commercial intercourse is permitted; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Macon reported that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

*Ordered*, That the said bill be engrossed, and read the third time this day.

A motion was made by Mr. Randolph, and seconded, to resume the consideration of the unfinished business of yesterday:

And the question being taken thereupon,

It was determined in the negative.

On motion of Mr. Poindexter, and seconded,

*Resolved*, That a select committee be appointed to inquire into the expediency of allowing the county of Madison, in the Mississippi Territory, a Representative in the General Assembly of said Territory; and that they have leave to report thereon by bill, or otherwise.

*Ordered*, That Mr. Poindexter, Mr. Weakley, Mr. Pearson, Mr. Stephenson, and Mr. Ross, be appointed a committee, pursuant to the said resolution.

On motion of Mr. Rhea, of Tennessee,

*Resolved*, That the Committee on the Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post road from Jonesborough, in the State of Tennessee, to Ash Court House, in the State of North Carolina.

The House, according to order, proceeded, by ballot, to the appointment of a Chaplain to Congress, on their part; and, upon examining the ballots, a majority of the votes of the whole House was found in favor of the Reverend Jesse Lee.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

An engrossed bill respecting the ships or vessels owned by citizens or subjects of foreign nations, with which commercial intercourse is permitted, was read the third time.

*Resolved*, That the said bill do pass, and that the title be, "An act respecting the ships or vessels owned by citizens or subjects of foreign nations, with which commercial intercourse is permitted."

*Ordered*, That the Clerk of this House do carry the said bill to the Senate, and desire their concurrence.

A motion was made by Mr. Stanford, and seconded, that the House do come to the following resolution :

*Resolved*, That the committee appointed to inquire what prosecutions for libels, at common law, have been instituted before the Courts of the United States, be instructed to inquire what prosecutions for libels have been instituted before the Courts of the United States, under the second section of the act, entitled "An act in addition to an act, entitled 'An act for the punishment of certain crimes against the United States, passed the fourteenth day of July, one thousand seven hundred and ninety-eight,'" and into the expediency of adopting any legislative provision in consequence thereof.

A motion was made by Mr. Sawyer to amend the said proposed resolution, by inserting, at the end thereof, the following words: "And that the committee also inquire whether any, and what, private compensation has been made to such suffering persons :"

And the question being taken thereupon,

It was determined in the negative.

A motion was made by Mr. Ross, and seconded, to amend the said proposed resolution, by adding to the end thereof the words following, to wit: "And, also, to inquire whether any, and, if any, what, compensation and remuneration ought to be made to the persons who suffered and were punished for an opposition to an act of Congress, entitled "An act to lay and collect a direct tax within the United States."

And then a motion was made by Mr. Rhea of Tennessee, and seconded, that the original resolution and the amendment offered to the same, be postponed *indefinitely* :

And the question being taken thereupon,

It was resolved in the affirmative, { Yeas ..... 69,  
Nays ..... 50.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

Willis Alston, jr.  
William Anderson,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Daniel Blaisdell,  
Adam Boyd,  
James Breckenridge,  
John Brown,  
William Butler,  
John Campbell,  
Epaphroditus Champion,  
William Crawford,  
John Davenport, junior,  
John Dawson,  
James Emott,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Charles Goldsborough,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Daniel Heister,  
William Helms,  
Jonathan H. Hubbard,  
Jacob Hufty,  
Robert Jenkins,  
Walter Jones,  
Thomas Kenan,  
Philip B. Key,  
Herman Knickerbacker,  
Joseph Lewis, jun.  
Robert Le Roy Livingston,  
Aaron Lyle,

Vincent Matthews,  
Alexander M'Kim,  
Pleasant M. Miller,  
William Milnor,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Roger Nelson,  
Thomas Newbold,  
John Nicholson,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Peter B. Porter,  
Josiah Quincy,  
John Rhea, of Tennessee,  
Matthias Richards,  
Ebenezer Sage,  
Thomas Sammons,  
Lemuel Sawyer,  
Daniel Sheffey,  
Dennis Smelt,  
George Smith,  
Henry Southard,  
John Stanley,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Benjamin Tallmadge,  
Uri Tracy,  
George M. Troup,  
Laban Wheaton,  
Robert Weakley,  
Robert Witherspoon.

Those who voted in the negative, are,

Ezekiel Bacon,  
William Baylies,  
Robert Brown,  
William A. Burwell,  
John C. Chamberlain,  
William Chamberlin,  
Martin Chittenden,  
Howell Cobb,  
James Cochran,  
James Cox,  
Henry Crist,  
Samuel W. Dana,  
Joseph Desha,  
Barzillai Gannett,  
Barent Gardenier,  
Thomas Gholson, jun.  
Peterson Goodwyn,  
Edwin Gray,  
James Holland,  
Benjamin Howard,  
John G. Jackson,  
Richard Jackson, jun.  
Richard M. Johnson,  
William Kennedy,  
Edward St. Loe Livermore,

Nathaniel Macon,  
Robert Marion,  
Archibald M'Bryde,  
Samuel M'Kee,  
Jeremiah Morrow,  
Jonathan O. Mosely,  
Thomas Newton,  
Timothy Pitkin, jun.  
John Porter,  
Elisha R. Potter,  
John Randolph,  
John Rea, of *Pennsylvania*,  
John Roane,  
John Ross,  
Samuel Shaw,  
John Smith,  
Samuel Smith,  
Richard Stanford,  
William Stedman,  
John Taylor,  
John Thompson,  
Jabez Upham,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
James Wilson.

On motion of Mr. Randolph, and seconded,

*Resolved*, That a committee be appointed to take into consideration the act, entitled "An act for establishing rules and articles for the government of the armies of the United States," and to report whether any, and what, alteration it is expedient to make in the same.

*Ordered*, That Mr. Randolph, Mr. Stanford, Mr. Campbell, Mr. Heister, Mr. Gold, Mr. Pickman, and Mr. Hufty, be appointed a committee, pursuant to the said resolution, with leave to report thereon by bill, or otherwise.

A message, in writing, was received from the President of the United States, by Mr. Graham, as followeth :

*To the House of Representatives :*

I now lay before Congress the report of the Secretary of War, shewing the progress made in carrying into effect the act of April, one thousand eight hundred and eight, for raising an additional military force, and the disposition of the troops.

JAMES MADISON.

MAY 26, 1809.

The said message and report were read, and ordered to be referred to the committee on that part of the message of the President of the United States which relates to the military establishment.

On motion of Mr. John G. Jackson,

*Ordered*, That, unless otherwise ordered, the daily hour to which the House shall stand adjourned during the present session, be eleven o'clock in the forenoon.

And then the House adjourned until Monday morning eleven o'clock.

MONDAY, MAY 29, 1809.

Several other members, to wit : from Massachusetts, Orchard Cook ; and from Pennsylvania, Benjamin Say and John Smilie ; appeared, produced their credentials, and took their seats ; the oath to support the Constitution of the United States being first administered to them by Mr. Speaker.

Mr. Gholson presented a petition of sundry inhabitants of the county of Brunswick, in the State of Virginia, whose names are thereunto subscribed, praying an alteration in the present post route, from Percival's store, in the said county, to Halifax town, in North Carolina, so as that the same may pass by the house of Thomas Dromgoole, and that a post office may be established at the House of the said Dromgoole.

The said petition was read, and referred to the Committee on Post Offices and Post Roads.

Thomas Kenan,  
William Kennedy,  
Matthew Lyon,  
Aaron Lyle,  
Robert Marion,  
Samuel M'Kee,  
Alexander M'Kim,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
Gurdon S. Mumford,  
Reger Nelson,  
Thomas Newbold,  
Thomas Newton,  
John Nicholson,  
John Porter,  
Peter B. Porter,  
John Rhea, *of Tennessee*,  
Matthias Richards,  
John Roane,  
John Ross,  
Ebenezer Sage,  
Lemuel Sawyer,  
Benjamin Say,  
Ebenezer Seaver,  
Samuel Shaw,  
John Smilie,  
George Smith,  
Henry Southard,  
Samuel Taggart,  
John Taylor,  
John Thompson,  
Uri Tracy,  
George M. Troup,  
Robert Whitehill,  
James Wilson,  
Robert Witherspoon.

Archibald M'Bryde,  
Pleasant M. Miller,  
William Milnor,  
Joseph Pearson,  
Benjamin Pickmam, jun.  
Timothy Pitkin, jun.  
Elisha R. Potter,  
Josiah Quincy,  
John Randolph,  
Thomas Sammons,  
Daniel Sheffey,  
John Smith,  
Samuel Smith,  
Richard Stanford,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Benjamin Tallmadge,  
Jabez Upham,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Laban Wheaton.

Archibald McBryde,  
Pleasant M. Miller,  
William Milnor,  
Gurdon S. Mumford,  
Roger Nelson,  
Thomas Newbold,  
Thomas Newton,  
John Nicholson,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
Elisha R. Potter,  
Josiah Quincy,  
John Randolph,  
Matthias Richards,  
John Ross,  
Thomas Sammons,  
Daniel Sheffey,  
Richard Stanford,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Benjamin Tallmadge,  
John Thompson,  
Jabez Upham,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Robert Weakley,  
Laban Wheaton,  
James Wilson.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
David Bard,  
William W. Bibb,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
James Cochran,  
James Cox,  
William Crawford,  
Henry Crist,  
Richard Cutts,  
Joseph Desha,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
Peterson Goodwyn,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,

Richard M. Johnson,  
William Kennedy,  
Aaron Lyle,  
Robert Marion,  
Samuel McKee,  
Alexander McKim,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
John Porter,  
Peter B. Porter,  
John Rea, of *Pennsylvania*,  
John Rhea, of *Tennessee*,  
John Roane,  
Ebenezer Sage,  
Lemuel Sawyer,  
Benjamin Say,  
Ebenezer Seaver,  
Samuel Shaw,  
John Smilie,  
George Smith,  
John Smith,  
Samuel Smith,  
Henry Southard,  
John Taylor,  
Uri Tracy,  
George M. Troup,  
Robert Whitehill,  
Robert Witherspoon.

The question which was depending at the time of adjournment on the twenty-sixth instant, that the original resolution, and an amendment proposed by Mr. Bacon to the same, be postponed *indefinitely*, was again stated :

And further debate arising,

An adjournment was called for : On which,

The several orders of the day were further postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

#### TUESDAY, MAY 30, 1809.

A motion was made by Mr. Randolph, and seconded, to expunge from the journal of the proceedings of yesterday, so much of that part of the Speaker's decision as is contained in the following words : "*As the hour which the House had usually appropriated for the presentation of petitions and communications had not elapsed ; and that he had some communications to lay before the House from some of the Executive Departments.*"

And the question being taken thereupon,

It was determined in the negative.

A motion was made by Mr. Randolph, and seconded, that the House do come to the following resolution :

*Resolved*, That provision ought to be made, by law, for taking the third census of the inhabitants of the United States.

The said proposed resolution was read, and ordered to lie on the table.

On motion of Mr. Newton, and seconded,

*Resolved*, That a committee be appointed for Enrolled Bills, jointly, with the committee appointed for that purpose on the part of the Senate.

*Ordered*, That Mr. Gholson and Mr. Fisk be appointed of the said committee, on the part of this House.

Mr. Lewis presented a memorial of the manufacturers of hats, in the town of Alexandria, in the District of Columbia, whose names are thereunto subscribed, to the like effect with a memorial of the manufacturers of hats, in Fredericktown, State of Maryland, presented to the House on the twenty-fifth instant.

*Ordered*, That the said memorial be referred to the Committee of Commerce and Manufactures.

The Speaker laid before the House a letter from the Governor of the State of Virginia, enclosing the certificate of the election of John Dawson, to serve as one of the Representatives of that State in the Eleventh Congress of the United States ; which were ordered to be referred to the Committee of Elections.

Mr. Morrow, from the Committee on the Public Lands, presented, according to order, a bill supplementary to an act, entitled "An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians, and to establish a Land Office in the Mississippi Territory ; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

On a motion made, and leave given by the House, Mr. John G. Jackson, from the committee appointed on so much of the message from the President of the United States as respects our foreign relations, presented, according to order, a bill to repeal the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and the several acts supplementary thereto, and to revive and amend the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes ;" which was received, and read the first time.

On motion,

The said bill was read the second time, and ordered to be committed to a Committee of the Whole House on Friday next.

A motion was made by Mr. Dana, and seconded, that the House do come to the following resolution :

*Resolved*, That, for the benefit of seamen of the United States, it is proper to make provision that registered ships or vessels, after a time to be limited by law, shall not continue to enjoy the benefits and privileges appertaining to ships or vessels of the United States, unless a certain proportion of the mariners on board the same shall be citizens of the United States.

The said proposed resolution was read, and ordered to lie on the table.

Another motion was made by Mr. Dana, and seconded, that the House do come to the following resolution :

*Resolved*, That it is expedient to make provision by law to allow merchant vessels of the United States to be armed for defence in voyages to ports of Europe, the West Indies, and Atlantic coast of America, and accordingly to furnish the documentary evidence which may be proper in any such case to manifest the defensive character of the armament allowed ; and at the same time by law to require securities for the vessels respectively, that they will not proceed to any port known to be actually blockaded, nor carry articles contraband of war to the dominions of a belligerent Power, nor violate the laws or treaties of the United States, or the rules of public law by them acknowledged, but will observe the instructions which may be given by the President of the United States for preventing any such violations, and that satisfaction shall be made for all damages and injuries if any should be committed in contravention thereof.

The said proposed resolution was read, and referred to a Committee of the Whole House on Friday next.

Mr. Fisk, from the Joint Committee for Enrolled Bills, reported that the committee had examined an enrolled bill, entitled "An act respecting the ships or vessels owned by citizens or subjects of foreign nations with which commercial intercourse is permitted," and had found the same to be truly enrolled : Whereupon,

Mr. Speaker signed the said enrolled bill.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

Mr. Say presented a petition of the sugar refiners in the city of Philadelphia, whose names are thereunto subscribed, of the like tenor and to the same effect with a petition of the sugar refiners of Boston, in the State of Massachusetts, presented on the twenty-seventh instant.

Mr. Say also presented a memorial of the manufacturers of hats in the city and county of Philadelphia, whose names are thereunto subscribed, to the like effect with the petitions from the manufacturers of hats before stated.

Mr. M'Kim presented a memorial of the manufacturers of cotton goods in the city of Baltimore, State of Maryland, whose names are thereunto subscribed, praying that an additional duty may be imposed on the importation from any foreign port or place of articles manufactured from cotton.

Mr. Mumford presented two memorials of the manufacturers of hats in the city of New York, to the like effect with the memorials from the manufacturers of hats before stated.

Mr. John Porter presented a petition of sundry manufacturers and bottlers of malt liquors, in the city of Philadelphia, whose names are thereunto subscribed, praying that black glass bottles may be imported free of duty; and that so much of a law which prohibits the importation of certain goods, wares, and merchandise, and which prevents the introduction of malt liquors from foreign countries, may be continued in force, or that an additional duty may be imposed upon the importation thereof.

*Ordered*, That the said memorials and petitions be severally referred to the Committee of Commerce and Manufactures.

Mr. Clay presented a petition of sundry inhabitants of Halifax county, in the State of Virginia, whose names are thereunto subscribed, praying the establishment of a post route from Hugh Wiley's, in Charlotte county, in the said State, to Leesburg, in the State of North Carolina.

Mr. Clay also presented a petition of sundry inhabitants of Delaware county, in the State of Ohio, whose names are thereunto subscribed, praying the establishment of two post routes, one from Zanesville to the town of Delaware, the other from Worthington to the said town of Delaware, in the county aforesaid.

The said petitions were read, and referred to the Committee on Post Offices and Post Roads.

Mr. Witherspoon presented a petition of John Ervine, on behalf of himself, James Gregg, and Roger Roberts, of the State of South Carolina, praying to be paid the amount of his account as principal assessor, and of the accounts of the said Gregg and Roberts, as assistant assessors, under the act laying and collecting a direct tax within the United States, for the county of Liberty, in the said State of South Carolina.

The said petition was read, and referred to the Committee of Claims.

On motion of Mr. Helms,

*Ordered*, That the petition of John Heard, of the State of New Jersey, presented on the twenty-fifth of November, one thousand eight hundred and eight, be referred to Mr. Helms, Mr. Crawford, Mr. Livingston, Mr. Breckenridge, and Mr. Witherspoon, with leave to report thereon by bill, or otherwise.

Mr. Gold presented a petition of Elizabeth Hamilton, of the city of New York, widow of the late General Alexander Hamilton, stating that her deceased husband served as a Lieutenant Colonel in the Revolutionary war, and as such entitled to half pay, but from his delicate situation as a member of Congress, when the question of half pay of the army was agitated, he had relinquished his claim to the same, the amount of which the petitioner prays may be allowed to her.

The said petition was read, and referred to the Committee of Claims.

A message from the Senate, by Mr. Otis, their Secretary:

*Mr. Speaker*: The Senate have appointed Mr. Giles, Mr. Franklin, and Mr. Hillhouse, a committee on their part, jointly, with the committee appointed on the part of this House, to inquire what business it is requisite should be done at the present session. And then he withdrew.

The House resumed the consideration of the resolution proposed by Mr. Randolph, on the twenty-sixth instant, approbatory of the conduct of the President of the United States in the late accommodation and commercial arrangements with the Government of Great Britain.

The motion of Mr. John G. Jackson, for an indefinite postponement of the resolution, and an amendment offered to the same by Mr. Bacon, being again stated,

Mr. Jackson withdrew the said motion.

Mr. Nelson then renewed the motion to postpone indefinitely:

And farther debate ensuing,

An adjournment was called for: On which,

The order of the day was postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

WEDNESDAY, MAY 31, 1809.

Julian Poedras appeared, produced his credentials, and took his seat, as the Delegate for the Territory of Orleans; the oath to support the Constitution of the United States being first administered to him by Mr. Speaker.

Mr. M'Kim presented a petition of thirty-five American citizens confined at Carthage, in South America, under sentence of slavery, whose names are thereunto sub-

scribed, stating that through means of falsehood and deception, they were induced to engage in the unlawful expedition of Miranda, fitted out from the city of New York, in the year one thousand eight hundred and six, and that they were captured by the Spaniards, and condemned to slavery, and praying that Congress will take their distressing case into consideration, and effect their release and return to their native country.

The said petition was read, and referred to Mr. M'Kim, Mr. Say, Mr. Emott, Mr. Roane, and Mr. Cochran, to examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The Speaker laid before the House a letter from the Secretary of War, transmitting his report on the petition of George Vaughan, referred to him on the twenty-fifth instant; which were read, and ordered to be referred to the Committee of Claims.

Mr. Smilie presented a petition of William Linnard, military agent for the Middle Department, praying an increase of the compensation now allowed by law for that office.

The said petition was read, and referred to the Secretary of War, with instruction to examine the matter thereof, and report the same, with his opinion thereupon, to this House.

Mr. Peter B. Porter presented a petition of sundry inhabitants of the county of Niagara, in the State of New York, praying that the town of Portland, in the said county, may be established as a port of entry and delivery.

The said petition was read, and referred to the Committee of Commerce and Manufactures.

On motion of Mr. Newton, and seconded,

*Ordered*, That the report of the Secretary of the Treasury on the emoluments of the officers of the customs, from the first of January to the thirtieth of September, one thousand eight hundred and eight, inclusive, made on the twenty-seventh of February, one thousand eight hundred and nine, be referred to the Committee of Commerce and Manufactures.

On motion of Mr. Gholson,

*Ordered*, That the petitions of John Nelson, and of Amy Dardin, of the State of Virginia, presented on the eleventh of January last, and on the twenty-seventh of December, one thousand eight hundred and four, be referred to the Committee of Claims.

Mr. Southard, from the Committee of Revisal and Unfinished Business, made a report, in part, of such laws as have expired, or are near expiring; which was read, and ordered to lie on the table.

Mr. Livermore presented a memorial of the manufacturers of hats in the towns of Newburyport and Newbury, in the State of Massachusetts, whose names are thereunto subscribed, of the like effect with several memorials of the manufacturers of hats before stated.

*Ordered*, That the said memorial be referred to the Committee of Commerce and Manufactures.

Mr. Van Rensselaer presented a petition of John Hammond, of Delaware county, in the State of New York, praying to be allowed the arrearages of his pay and such grant of land as he is entitled to, in consideration of services rendered as a soldier in the New York line of the Continental army, during the Revolutionary war with Great Britain.

Mr. Van Rensselaer also presented a petition of Archibald M'Kimley, of the State of New York, to the same effect with the petition of John Hammond above stated.

The said petitions were read, and severally referred to the Committee of Claims.

On motion of Mr. Pearson, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post road leading from the town of Salem, in Stokes county, by Clement's bridge, on the Yadkin river, by Mock's Old Field, in Rowen, by Statesville, in Iredell county, to the town of Charlotte, in Mecklenburgh county, all in the State of North Carolina.

Mr. Lewis presented a petition of John Thompson, of Jefferson county, in the State of Virginia, praying that an act may be passed, authorizing the Accounting officers of the Treasury Department to liquidate and settle his accounts for services rendered as an officer of the Pennsylvania line of the army, during the Revolutionary war with Great Britain.

The said petition was read, and referred to the Committee of Claims.

On motion of Mr. Marion, and seconded,

*Resolved*, That the Committee of Commerce and Manufactures be instructed to in-

quire into the expediency of continuing in force the act passed on the twenty-eighth of March, one thousand eight hundred and six, entitled "An act declaring the consent of Congress to an act of the State of South Carolina, passed on the twenty-first day of December, in the year one thousand eight hundred and four, so far as the same relates to authorizing the City Council of Charleston to impose and collect a duty on the tonnage of vessels from foreign ports."

On motion of Mr. Goodwyn,

*Ordered*, That the petition of John and William Bell, of Petersburg, in the State of Virginia, presented on the twenty-fourth of December, one thousand eight hundred and six, be referred to the Committee of Commerce and Manufactures.

Mr. Mumford presented a petition of the sugar refiners in the city of New York, whose names are thereunto subscribed, to the same effect with a petition of the sugar refiners of Boston, presented on the twenty-seventh instant.

Mr. Newton presented a petition of the sugar refiners in the town of Alexandria, to the same effect with the petition last stated.

*Ordered*, That the said petitions be severally referred to the Committee of Commerce and Manufactures.

On a motion made, and leave given by the House, Mr. Newton, from the Committee of Commerce and Manufactures, presented, according to order, a bill authorizing the Accounting officers of the Treasury Department to give credit to certain Collectors of the Customs for allowances paid by them to the owners and crews of fishing vessels; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House on Friday next.

Mr. Fisk, from the Joint Committee for Enrolled Bills, reported that the committee did, yesterday, present to the President of the United States, for his approbation, an enrolled bill, entitled "An act respecting the ships or vessels owned by citizens or subjects of foreign nations with which commercial intercourse is permitted."

On motion of Mr. Lyon,

*Ordered*, That the representation of Thomas Paine, of the city of New York, presented on the fourth of February, one thousand eight hundred and eight, be referred to the Committee of Claims.

Mr. Say presented a petition of Hannah Foster, of the city of Philadelphia, praying to be allowed the pay and emoluments due for the services of her deceased husband, William Crater Foster, who died in the service of the United States, whilst a soldier in the New Jersey line of the Continental army, during the Revolutionary war with Great Britain.

The said petition was read, and referred to the Committee of Claims.

A motion was made by Mr. Rhea, of Tennessee, and seconded, that the House do come to the following resolution :

*Resolved*, That the Committee on the Public Lands do inquire into the expediency of laying off and describing, by certain metes and bounds, a tract of country to which the Indian title is extinguished, within the limits of Louisiana, and to include all the settlements within the said Territory, and of having the said tract of country laid off into townships and sections, half and quarter sections, agreeably to the several laws heretofore made for surveying the public lands of the United States; and also to inquire into the expediency of granting one quarter of a section to every free male white person who now resides thereon, or who will, within ——— years, actually improve and reside thereon :

And on the question that the House do proceed to take the said proposed resolution into consideration,

It was resolved in the affirmative.

A motion was then made by Mr. Rhea, of Tennessee, that the said resolution be referred to the Committee on the Public Lands :

And, the question being taken thereupon,

It was determined in the negative.

A motion was made by Mr. Lewis, and seconded, that the House do come to the following resolution :

*Resolved*, That a committee be appointed to inquire into the expediency of removing from West Point the Corps of Engineers, constituting the Military Academy, to the city of Washington; and that leave be given to report by bill, or otherwise :

And on the question that the House do proceed to take the said proposed resolution into consideration,

It was determined in the negative.

Mr. Johnson, from the Committee of Claims, to whom was referred, on the twenty-seventh instant, the petition of Joseph Savage, made a report thereon; which was read and considered: Whereupon,

*Resolved*, That the prayer of the petition of Joseph Savage is unreasonable, and ought not to be granted.

Mr. Gardenier presented a petition of Hill Sturges, of Green county, in the State of New York, praying to be placed on the pension list of the United States, in consideration of injuries sustained whilst a soldier in the Connecticut line of the Continental army of the United States, during the Revolutionary war with Great Britain.

The said petition was read, and referred to the Committee of Claims.

Mr. Bacon presented petitions from sundry inhabitants of Plymouth District, in the State of Massachusetts, whose names are thereunto subscribed, to the same effect with a petition from sundry other inhabitants of the said district, presented on the twenty-fourth instant.

*Ordered*, That the said petitions be referred to the Committee of Elections.

Mr. Bacon also presented a petition of John Pitman, of Providence, in the State of Rhode Island, praying the renewal, for a further time, of his patent right to a machine for manufacturing cordage.

The said petition was read, and referred to Mr. Bacon, Mr. Stanford, Mr. Hubbard, Mr. Swoope, and Mr. Miller; with instruction to examine the matter thereof, and report the same, with their opinion thereupon, to the House.

On motion of Mr. Bacon,

*Ordered*, That the petition of Robert Elwell, of the District of Maine, presented on the nineteenth of February, one thousand eight hundred and eight, be referred to the Committee of Claims.

On a motion made by Mr. Bacon, and seconded, that the House do come to the following resolution:

*Resolved*, That the Secretary of the Treasury be directed to prepare and report to this House at their next session, a plan for the application of such means as are within the power of Congress, for the purpose of protecting and fostering the manufactures of the United States, together with a statement of the several manufacturing establishments which have been commenced, the progress which has been made in them, and the success with which they have been attended; and such other information as, in the opinion of the Secretary, shall be material in exhibiting a general view of the manufactures of the United States.

The said proposed resolution was read, and ordered to lie on the table.

Mr. Richards presented a memorial of the manufacturers of hats in the borough of Reading, and State of Pennsylvania, to the like effect with the memorials from sundry other manufacturers of hats, before stated; which was received, and referred to the Committee of Commerce and Manufactures.

The House proceeded to the reconsideration, agreeably to their vote of the twenty-sixth instant, of a resolution proposed by Mr. Randolph, in the words following, to wit:

*Resolved*, That a committee be appointed to inquire and report whether moneys drawn from the Treasury, since the third of March, one thousand eight hundred and one, have been faithfully applied to the objects for which they were appropriated, and whether the same have been regularly accounted for."

And the same being again read at the Clerk's table, was, upon the question put thereupon, agreed to by the House,

*Ordered*, That Mr. Randolph, Mr. Macon, Mr. Smilie, Mr. J. C. Chamberlain, Mr. Seaver, Mr. Howard, and Mr. Southard, be appointed a committee, pursuant to the said resolution.

On motion of Mr. Nelson, and seconded,

*Resolved*, That a committee be appointed to inquire into the expediency of making provision, by law, for the relief of the infirm, disabled, and superannuated officers and soldiers of the late Revolutionary army, and of the present army of the United States; and that the committee have leave to report by bill, or otherwise.

*Ordered*, That Mr. Nelson, Mr. Blaisdell, Mr. Baylies, Mr. Matthews, and Mr. Shefey, be appointed a committee, pursuant to the said resolution.

On motion of Mr. Dawson,

*Ordered*, That the letter from the Secretary of the Treasury to the Chairman of the Committee of Commerce and Manufactures, relating to a removal of the office of the Collector for the District of Tappahannock to Fredericksburg, be referred to the Committee of Commerce and Manufactures.

Mr. Poindexter, from the committee appointed on the twenty-seventh instant, presented, according to order, a bill to authorize the citizens of Madison county, in the Mississippi Territory, to elect one Representative to the General Assembly of said Territory ; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Bassett, and seconded,

*Ordered*, That Mr. Burwell and Mr. Gardner be appointed a committee to present to the President of the United States a resolution agreed to by this House on the twenty-seventh instant.

On motion of Mr. Randolph, and seconded,

*Resolved*, That a committee be appointed to inquire whether any, and what, provision ought to be made, by law, in relation to a summary mode of proceeding against marshals and their deputies, who have received money by virtue of executions issued from the Courts of the United States.

*Ordered*, That Mr. Randolph, Mr. Livermore, Mr. Stanford, Mr. Knickerbacker, and Mr. Lyle, be appointed a committee, pursuant to the said resolution.

On motion of Mr. Dana, and seconded,

*Ordered*, That this resolution proposed by him on the thirtieth instant, relating to American seamen, be referred to Mr. Dana, Mr. Burwell, Mr. Cook, Mr. Cobb, and Mr. N. R. Moore, with leave to report thereon by bill, or otherwise.

On motion of Mr. Goldsborough,

*Ordered*, That the petition of John Murray, of the State of Maryland, presented on the fourth of February, one thousand eight hundred and eight, be referred to the Committee of Claims.

The House resumed the consideration of the resolution proposed by Mr. Randolph on the twenty-sixth instant, approbatory of the conduct of the President of the United States, in the late accommodation and commercial arrangements with the Government of Great Britain :

And after farther debate thereon,

An adjournment was called for : On which,

The several orders of the day were farther postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

#### THURSDAY, JUNE 1, 1809.

On motion of Mr. Nelson,

*Ordered*, That two petitions from the inhabitants of Frederick county, in the State of Maryland, presented on the nineteenth of December, one thousand eight hundred and six, and on the twenty-ninth of January, one thousand eight hundred and nine, be referred to the Committee on Post Offices and Post Roads.

A motion was made by Mr. Rhea, of Tennessee, and seconded, that the House do come to the following resolution :

*Resolved*, That the Committee of Public Lands do inquire into the expediency of laying off and describing, by certain metes and bounds, a tract of country to which the Indian title is extinguished, within the limits of the Territory of Orleans, and to include all the settlements within the said Territory, and of having the said tract of country laid off into townships and sections, half and quarter sections, agreeably to the several laws heretofore made for surveying the public lands of the United States, and also to inquire into the expediency of granting one quarter of a section to every free male white person who now resides thereon, or who will, within — years, actually improve and reside thereon.

The said proposed resolution was read, and ordered to lie on the table.

On motion of Mr. Samuel Smith,

*Ordered*, That the petition of Nathaniel Irish, presented on the thirteenth of December, one thousand eight hundred and five, be referred to the Committee of Claims.

Mr. Quincy presented two memorials, one from the manufacturers of hats, in the Commonwealth of Massachusetts, the other from the journeymen hatters in Boston, whose names are thereunto subscribed, to the same effect with sundry other memorials of hatters before stated.

*Ordered*, That the said memorials be referred to the Committee of Commerce and Manufactures.

On motion of Mr. Gold, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post road from the village of Cooperstown, in the county of Otsego, to Utica, in the county of Oneida.

A motion was made by Mr. Lyon, and seconded, that the House do come to the following resolution :

*Resolved*, That for the protection of those who have commenced, and the encouragement of those who may be disposed to set on foot manufactures within the United States, of the articles hereafter enumerated, as well as for the encouragement of the cultivation of the productions necessary for such manufactures, provision ought forthwith to be made, by law, to subject to additional duties, on their importation into the United States, all articles of which leather is the material of chief value ; hemp and cotton, and all articles of which they, or either of them, are the materials of chief value ; woollen cloths, whose invoice prices shall not exceed six shillings sterling per square yard, woollen hosiery, window glass, silver and plated wares, paper of every description, nails, spikes and tacks, hats, clothing ready made, millinery of all kinds, beer, ale, and porter.

A motion was made by Mr. Milnor, and seconded, that the said resolution be referred to the Committee of Commerce and Manufactures :

And the question being taken thereupon,

It was determined in the negative.

On motion of Mr. Love, and seconded,

The said proposed resolution was ordered to lie on the table.

Mr. Morrow, from the Committee on the Public Lands, presented, according to order, a bill authorizing the appointment of an Agent for the Land Office at Kaskaskia, and allowing compensation to the Commissioners and Clerk ; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

A motion was made by Mr. Van Horn, and seconded, that the House do come to the following resolution :

*Resolved*, That a committee be appointed to inquire into the expediency of modifying or repealing the laws relative to drawback ; and that they have leave to report by bill, or otherwise :

And on the question that the House do now proceed to the consideration of the said proposed resolution,

It was determined in the negative.

Mr. William Chamberlin presented a petition of Joseph Huntoon, of the State of Vermont, praying an increase of the pension heretofore allowed him in consideration of a wound received whilst a lieutenant in the New Hampshire line of the Continental army, during the Revolutionary war with Great Britain.

Mr. Quincy presented a petition of Thomas Hollis Condy, of the State of Rhode Island, praying relief in consideration of injuries received whilst an officer in the Massachusetts line of the Continental army, during the Revolutionary war with Great Britain.

The said petitions were read, and severally referred to the Committee of Claims.

On motion of Mr. Say,

*Ordered*, That the petition of John Bishop, James Clement, and Thomas Sparks, shot manufacturers in the city of Philadelphia, presented on the seventeenth of November, one thousand eight hundred and eight, be referred to the Committee of Commerce and Manufactures.

On motion of Mr. Randolph,

The House proceeded to consider the resolution proposed by him on the thirtieth ultimo, in the words following, to wit :

*Resolved*, That provision ought to be made, by law, for taking the third census of the inhabitants of the United States :

And the question being taken that the House do agree to the same,

It was resolved in the affirmative.

*Ordered*, That the said resolution be referred to Mr. Randolph, Mr. Desha, Mr. Crawford, Mr. Tracy, and Mr. Pickman.

A motion was made by Mr. Lewis, and seconded, that the House do now proceed to the consideration of a resolution proposed by him on the thirty-first ultimo, relative to a removal of the Military Academy from West Point to the city of Washington :

And the question being taken thereupon,

It was determined in the negative.

A motion was made by Mr. Southard, and seconded, that the House do come to the following resolution :

*Resolved*, That a committee be appointed to inquire into the propriety of passing a law to prescribe the mode of taking evidence in cases of contested elections for Members of the House of Representatives of the United States, and to compel the attendance of witnesses, and that the committee have leave to report by bill, or otherwise.

A motion was made by Mr. Gardenier, to amend the said resolution by striking out the words "a committee be appointed," and to insert, in lieu thereof, the words, "the Committee of Elections be directed :"

And the question being taken thereupon,

It was determined in the negative.

The question was then taken to agree to the original resolution,

And resolved in the affirmative.

*Ordered*, That Mr. Southard, Mr. Clay, Mr. M'Kee, Mr. Cobb, and Mr. Sturges, be appointed a committee, pursuant to the said resolution.

Mr. Tracy presented a petition of sundry inhabitants of Broome county, in the State of New York, whose names are thereunto subscribed, praying the establishment of a post route from the post office in the town of Greene, to Berkshire, in Seneca county, in the said State.

The said petition was read, and referred to the Committee on Post Offices and Post Roads.

Mr. Morrow presented a memorial of John Armstrong, attorney in fact for the heirs of Richard M'Carty, deceased, praying compensation for losses sustained by the said Richard M'Carty whilst a Captain in the troops commanded by General George R. Clark, acting against the hostile Indians in the Revolutionary war, and that the lands owned by the aforesaid M'Carty, while a British subject, prior to the American Revolution, may be confirmed to his heirs.

The said petition was read, and referred to the Committee on the Public Lands.

On motion of Mr. Randolph,

The House proceeded to consider the resolution proposed by him on the twenty-fifth ultimo, in the words following, to wit :

*Resolved*, That provision ought to be made by law to secure the right to an impartial jury in all cases, civil and criminal, maintained in the Courts of the United States :

And the question being taken that the House do agree to the same,

It was resolved in the affirmative.

*Ordered*, That the said resolution be referred to Mr. Randolph, Mr. Wheaton, Mr. Smilie, Mr. Bibb, and Mr. Rhea, of Tennessee.

A message was received from the President of the United States, by Mr. Graham, notifying that the President did, on the thirtieth ultimo, approve and sign an act, which originated in this House, entitled "An act respecting the ships or vessels owned by citizens or subjects of foreign nations with which commercial intercourse is permitted."

Mr. Stanley presented a memorial of John Kerr, late master of the brig Venus, now imprisoned in the prison of Newbern, in the State of North Carolina, in consequence of a violation of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and praying that an act may be passed authorizing his discharge from the prison aforesaid.

A motion was made by Mr. Macon to refer the said memorial to the Committee of Commerce and Manufactures :

And the question being taken thereupon,

It was determined in the negative.

*Ordered*, That the said memorial be referred to Mr. Stanley, Mr. Gray, Mr. Campbell, Mr. Cox, and Mr. Butler, with instruction to examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House resumed the consideration of the resolution proposed by Mr. Randolph on the twenty-sixth ultimo, approbatory of the conduct of the President of the United States in the late accommodation and commercial arrangements with the British Government :

And debate arising thereupon,

An adjournment was called for : Upon which,

The several orders of the day were further postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

FRIDAY, JUNE 2, 1809,

Another member, to wit : John Clopton, from Virginia, appeared, produced his credentials, and took his seat in the House ; the oath to support the Constitution of the United States being first administered to him by Mr. Speaker.

Mr. Burwell, from the committee appointed to present to the President of the United States a resolution agreed to by this House on the twenty-seventh ultimo, reported that the committee had performed the service assigned to them, and that the President answered that he would cause the desired communications to be laid before the House.

Mr. Love presented a petition of the President and Directors of the Potomac Company, whose names are thereunto subscribed, praying that an act may be passed authorizing a lottery in the District of Columbia, to raise the sum of one hundred thousand dollars, to be applied to the improvement of the navigation of the Potomac and Shenandoah rivers.

The said petition was read, and referred to the Committee for the District of Columbia.

On motion of Mr. Say,

*Ordered*, That the two memorials of Archibald M'Call, of the city of Philadelphia, presented on the twelfth of November, one thousand eight hundred and seven, and on the seventeenth of November, one thousand eight hundred and eight, be referred to the Committee of Commerce and Manufactures.

On motion of Mr. Say,

*Ordered*, That the petition of Ludwick Kuhn, presented on the sixth of November, one thousand eight hundred and seven, be referred to the Committee of Claims.

A motion was made by Mr. Sturges, and seconded, that when the House adjourns, it will adjourn to meet on Monday next :

And the question being taken thereupon,

It was determined in the negative.

On a motion made, and leave given by the House, Mr. Newton, from the Committee of Commerce and Manufactures, presented, according to order, a bill to continue in force "An act declaring the assent of Congress to a certain act of the State of South Carolina, passed the twenty-first of December, one thousand eight hundred and four ; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

Mr. Poindexter presented a petition of Mathias Santalistra, of the Mississippi Territory, by his attorney, Henry R. Dennis, praying to be confirmed in his title to a certain tract of land in the said Territory, for the reasons therein stated.

The said petition was read, and referred to the Committee on the Public Lands.

Mr. M'Kim presented a petition of the sugar refiners in the city of Baltimore, to the same effect with petitions from sundry other sugar refiners within the United States before stated.

Mr. Montgomery presented a petition of sundry distillers and other citizens of the United States, whose names are thereunto subscribed, praying that the importation of foreign spirits distilled from grain may be wholly prohibited, and that additional duties may be imposed on the introduction into the United States of foreign spirits distilled from other materials.

The said petitions were read, and severally referred to the Committee of Commerce and Manufactures.

On motion of Mr. Poindexter, and seconded,

*Resolved*, That a committee be appointed to inquire into the expediency of repealing so much of the ordinance for the government of the several Territories of the United States as empowers the Governors thereof to prorogue and dissolve the General Assembly ; and that they have leave to report thereon by bill, or otherwise.

*Ordered*, That Mr. Poindexter, Mr. Troup, Mr. Gold, Mr. Lewis, and Mr. M'Kee, be appointed a committee, pursuant to the said resolution.

Mr. Seaver presented a petition of Daniel Pettibone, praying that directions may be given for erecting a rarefying air-stove, of which he is the inventor, in the Capitol at the city of Washington, and in other public buildings of the United States.

The said petition was read, and referred to Mr. Mosely, Mr. Seaver, Mr. Clopton, Mr. Jenkins and Mr. Franklin, with instruction to examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Seaver also presented a petition of Lucy Bates, of the State of Massachusetts, praying a grant of money to support herself and family, in consequence of the death of

her husband Levi Bates, who was drowned while building a public pier on Plymouth beach, in the State aforesaid.

The said petition was read, and referred to the Committee of Claims.

On motion of Mr. Chittenden,

*Ordered*, That two petitions from sundry inhabitants of Middlebury, and of Rutland county, in the State of Vermont, presented on the seventeenth of December, one thousand eight hundred and six, and on the thirty-first of January, one thousand eight hundred and seven, be referred to the Committee on Post Offices and Post Roads.

On motion of Mr. Howard, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post road from Charlestown, on the Kenawha, in Virginia, to Mount Sterling, in Kentucky, to pass by the mouth of Big Sandy river.

On motion of Mr. Lyon, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be directed to inquire into the expediency of putting down the post road from Cumberland Court House, in Kentucky, to Blackburne's Springs, in Tennessee, and establishing a post road from Cumberland Court House to Overton Court House, and from thence to Wayne Court House, in Kentucky.

On motion of Mr. Montgomery, and seconded,

*Resolved*, That a committee be appointed to inquire whether any, and what, compensation ought to be made to Major Zebulon M. Pike, and his companions, for their services in exploring the Mississippi river, and in their late expedition to the sources of the Osage, Arkansas, and La Plate rivers, together with their tour through New Spain; and that they have leave to report by bill, or otherwise.

*Ordered*, That Mr. Montgomery, Mr. Robert Brown, Mr. Gholson, Mr. Livingston, and Mr. Kennedy, be appointed a committee, pursuant to the said resolution.

On motion of Mr. Chamberlin, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post road in the State of New Hampshire, from Portsmouth, on the first New Hampshire Turnpike, to Concord, thence through Hopkinton and Heniker, to Hillsboro, and from thence, on the turnpike, to Charlestown.

On motion of Mr. John G. Jackson, and seconded,

*Ordered*, That the unfinished business of yesterday do lie on the table.

The House then, according to order, resolved itself into a Committee of the Whole House on the bill to repeal the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and the several acts supplementary thereto, and to revive and amend the act, entitled "An act to interdict commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bassett reported that the committee had, according to order, had the said bill under consideration, and made some progress therein.

*Resolved*, That this House will, on Monday next, again resolve itself into a Committee of the Whole House on the said bill.

A motion was made by Mr. Nelson, and seconded, that when the House adjourns, it will adjourn to meet again on Monday next:

And the question being taken thereupon,

It was resolved in the affirmative.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting his annual report, prepared in obedience to the act, entitled "An act to establish the Treasury Department;" which was read, and referred to the Committee of Ways and Means.

The several orders of the day were farther postponed until Monday next.

And then the House adjourned until Monday morning eleven o'clock.

### MONDAY, JUNE 5, 1809.

Two other members, to wit: Ezekiel Whitman, from Massachusetts, and Richard Winn, from South Carolina, appeared, produced their credentials, and took their seats in the House; the oath to support the Constitution of the United States being first administered to them by Mr. Speaker.

A message from the Senate, by Mr. Otis, their Secretary:

*Mr. Speaker*: The Senate having been informed of the death of the Honorable Francis Malbone, one of the Senators from the State of Rhode Island, have directed me to communicate the same to this House. And then he withdrew.

On motion of Mr. Potter, and seconded,

*Resolved, unanimously,* That this House will attend the funeral of Francis Malbone, Esquire, late a member of the Senate of the United States.

*Resolved, unanimously,* That this House do wear mourning on the left arm for the space of one month, in testimony of their respect for the memory of the deceased.

*Ordered,* That the Clerk of this House do acquaint the Senate therewith.

The several orders of the day were farther postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

## TUESDAY, JUNE 6, 1809.

Another member, to wit: Wilson C. Nicholas, from Virginia, appeared, produced his credentials, and took his seat in the House; the oath to support the Constitution of the United States being first administered to him by Mr. Speaker.

Mr. Bassett from the joint committee appointed to inquire and report what business it is requisite should be done by Congress in their present session, made a report thereon; which was read, and ordered to lie on the table.

On motion of Mr. Lewis,

*Ordered,* That the following petitions, to wit:

Of the Common Council of Alexandria, presented on the twenty-first of November last;

Of the President and Directors of the Washington Bridge Company, presented on the ninth of December last;

Of the Protestant Episcopal Church in the city of Washington, presented on the fifteenth of December last;

Of the Commissioners of the Levy Court of Washington county, in the District of Columbia, presented on the fifteenth of December last;

Of the Presbyterian Congregation in Alexandria, presented on the tenth of January last;

Of the Episcopal Church in Alexandria, presented on the eighteenth of November last; and

Of the Washington and Alexandria Turnpike Company, presented on the twenty-second of November last; be severally referred to the Committee for the District of Columbia.

Mr. Southard presented a memorial from the manufacturers of hats in the township of Woodbridge, in the State of New Jersey, to the same effect with a petition of the manufacturers of hats in Fredericktown, State of Maryland, presented on the twenty-fifth ultimo.

Mr. Nelson presented a memorial of the manufacturers of hats in Hagerstown, State of Maryland, to the same effect with the memorial last stated.

*Ordered,* That the said memorials be severally referred to the Committee of Commerce and Manufactures.

On motion,

*Ordered,* That Mr. Smelt have leave to be absent from the service of this House for the remainder of the session.

A motion was made by Mr. Sawyer, and seconded, that the House do come to the following resolution:

*Resolved,* That a standing committee be appointed, to be called "The Committee of Manufactures," whose duty it shall be to take into consideration all such petitions, matters, and things, touching the manufactures of the United States, as shall be presented, or shall or may come in question, and be referred to them by the House, and to report from time to time their opinion thereon.

The said resolution was read, and ordered to lie on the table.

On motion of Mr. Nelson, and seconded,

*Resolved,* That the communications of the President of the United States, on the subject of the road from Cumberland, in Maryland, to the Ohio, received on the nineteenth of February, one thousand eight hundred and eight, and on the twenty-third of December last, with the accompanying documents, be referred to a select committee; with leave to report by bill, or otherwise.

*Ordered,* That Mr. Nelson, Mr. Nicholas, Mr. Winn, Mr. Lyon, and Mr. Morrow, be appointed a committee, pursuant to the said resolution.

Mr. Bibb presented a petition of sundry inhabitants of the State of Georgia, whose names are thereunto subscribed, praying the establishment of a mail route from Au-

gusta, by Columbia Court House, Wrightsborough, Warrenton, Powelton, and Sparta, to Milledgeville, in the said State.

The said petition was read, and referred to the Committee on Post Offices and Post Roads.

Mr. Fisk presented a petition of Andrew Foster and Jacob P. Giraud, merchants, of the city of New York, stating that, in the month of January last, their ship called the Clara, sailed from New York to New Orleans, and that, after her clearance, and without their knowledge, the master took on board two negro slaves, and landed the same in New Orleans, in violation of the act passed the second of March, one thousand eight hundred and seven, and that, in consequence thereof, the said vessel has been libelled and condemned as forfeited to the United States, and praying a restitution of the same, or such provision in the case as, to the wisdom of Congress, shall deem just and proper.

Mr. Marion presented a petition of the Inspectors of the Customs for the Port of Charleston, State of South Carolina, whose names are thereunto subscribed, praying an increase of their official emoluments.

The said petitions were read, and severally referred to the Committee of Commerce and Manufactures.

On motion of Mr. Lewis,

*Ordered*, That the petitions of the President and Directors of the Commercial Company of the city of Washington, and of the President and Directors of the Bank of Alexandria, presented on the eighth and twentieth of December last, be referred to the Committee for the District of Columbia.

A motion was made by Mr. Lewis, and seconded, that the House do now proceed to the consideration of a resolution proposed by him on the thirty-first ultimo, relative to a removal of the Military Academy from West Point to the city of Washington :

And the question being taken thereupon,

It was determined in the negative.

Mr. Pickman presented a petition of the owners, master, and mariners, on board the schooner Equality, of Salem, in the State of Massachusetts, by Samuel Putnam, their attorney, praying, for the reasons therein stated, that they may receive the full amount of the proceeds arising from the sale of twenty-eight bags of cotton, found by the crew of said schooner, drifting on the high seas.

The said petition was read, and referred to the Committee of Claims, with leave to report thereon by bill, or otherwise.

On a motion made, and leave given by the House, Mr. Helms, from the committee to whom was referred the petition of John Heard, presented, according to order, a bill authorizing the discharge of John Heard from his imprisonment; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

Mr. Helms, from the same committee, also presented a detailed report; which was read, and referred to the Committee of the Whole House last mentioned.

Mr. Peter B. Porter presented a memorial of Joseph Wilkinson, jun., late Collector of the Customs for the port of Detroit, praying to be released from the jail of Detroit, where he is confined at the suit of the United States, for money which he is unable to pay.

The said petition was read, and referred to Mr. Peter B. Porter, Mr. Sturges, Mr. Richards, Mr. Clopton, and Mr. Stedman; with instruction to examine the matter thereof, and report the same, with their opinion thereupon, to the House.

On motion of Mr. Pitkin, and seconded,

*Resolved*, That the committee to whom was referred so much of the President's message as relates to the Naval Establishment, be instructed to inquire into the expediency of selling such of the public armed vessels and gun-boats belonging to the United States, as are not necessary to be employed in actual service.

Mr. Randolph, from the committee appointed on the thirty-first ultimo, presented, according to order, a bill authorizing a summary mode of proceeding against marshals and their deputies who have received money by virtue of executions issued from the Courts of the United States; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House on Thursday next.

Mr. Eppes, from the Committee of Ways and Means, presented, according to order,

a bill supplementary to the act, entitled "An act making farther provision for the support of public credit, and for the redemption of the public debt;" which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

Mr. Chittenden presented a petition of James Mead, the second, of the State of Vermont, praying to be allowed the amount of an account against him for medical services and attendance, while sick on a military expedition to prevent infractions, in the said State, of the acts laying and executing an embargo on all ships and vessels in the ports and harbors of the United States.

The said petition was read, and referred to the Committee of Claims.

The Speaker laid before the House a letter and report from the Secretary of War, of the sums necessary to complete the fortifications commenced or contemplated, and of the amount of any deficiency of former appropriations for this object, made in obedience to a resolution of the twenty-seventh ultimo; which was read, and referred to the committee on so much of the President's message as relates to the military establishment.

The Speaker also laid before the House another report of the Secretary of War on the petition of William Linnard; which was read, and ordered to lie on the table.

Mr. Johnson, from the Committee of Claims, to whom was referred on the second instant, the petition of Lucy Bates, made a report thereon; which was read, and the resolution therein contained, agreed to by the House, as followeth:

*Resolved*, That the prayer of the petition ought *not* to be granted.

The Speaker laid before the House a report of the Governor and Judges of the Territory of Michigan, made in obedience to "An act to provide for the adjustment of titles of lands in the town of Detroit, and Territory of Michigan, and for other purposes;" which was read, and referred to the Committee on the Public Lands.

A motion was made by Mr. John G. Jackson, and seconded, to discharge the Committee of the Whole House from the farther consideration of the bill to repeal the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and the several acts supplementary thereto, and to revive and amend the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."

And the question being taken thereupon,

It was unanimously agreed to by the House, every member present voting in the affirmative, to wit:

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
William Baylies,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Daniel Blaisdell,  
Adam Boyd,  
James Breckenridge,  
John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
John C. Chamberlain,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Matthew Clay,  
Howell Cobb,  
James Cochran,  
Orchard Cook,  
James Cox,  
William Crawford,  
Henry Crist,

Richard Cutts,  
Samuel W. Dana,  
John Davenport, junior,  
John Dawson,  
Joseph Desha,  
William Ely,  
James Emott,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Barent Gardenier,  
Gideon Gardner,  
Thomas Gholson, jun.  
Charles Goldsborough,  
Peterson Goodwyn,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Daniel Heister,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jonathan H. Hubbard,  
Jacob Hufty,  
John G. Jackson,

Richard Jackson, jun.  
 Robert Jenkins,  
 Richard M. Johnson,  
 Walter Jones,  
 Thomas Kenan,  
 William Kennedy,  
 Philip B. Key,  
 Herman Knickerbacker,  
 Joseph Lewis, jun.  
 Edward St. Loe Livermore,  
 Robert Le Roy Livingston,  
 John Love,  
 Matthew Lyon,  
 Aaron Lyle,  
 Nathaniel Macon,  
 Robert Marion,  
 Vincent Matthews,  
 Archibald McBryde,  
 Samuel McKee,  
 Alexander McKim,  
 Pleasant M. Miller,  
 William Milnor,  
 John Montgomery,  
 Nicholas R. Moore,  
 Thomas Moore,  
 Jeremiah Morrow,  
 Jonathan O. Mosely,  
 Gurdon S. Mumford,  
 Roger Nelson,  
 Thomas Newton,  
 Wilson C. Nicholas,  
 John Nicholson,  
 Joseph Pearson,  
 Benjamin Pickman, jun.  
 Timothy Pitkin, jun.  
 John Porter,  
 Elisha R. Potter,  
 Josiah Quincy,

John Rea, of *Pennsylvania*,  
 John Rhea, of *Tennessee*,  
 Matthias Richards,  
 John Roane,  
 Ebenezer Sage,  
 Thomas Sammons,  
 Lemuel Sawyer,  
 Benjamin Say,  
 Ebenezer Seaver,  
 Samuel Shaw,  
 Daniel Sheffey,  
 John Smilie,  
 George Smith,  
 John Smith,  
 Samuel Smith,  
 Henry Southard,  
 Richard Stanford,  
 John Stanley,  
 William Stedman,  
 James Stephenson,  
 Lewis B. Sturges,  
 Jacob Swoope,  
 Samuel Taggart,  
 Benjamin Tallmadge,  
 John Taylor,  
 John Thompson,  
 Uri Tracy,  
 George M. Troup,  
 Jabez Upham,  
 Archibald Van Horn,  
 Killian K. Van Rensselaer,  
 Robert Weakley,  
 Laban Wheaton,  
 Robert Whitehill,  
 Ezekiel Whitman,  
 James Wilson,  
 Richard Winn,  
 Robert Witherspoon.

Another motion was then made by Mr. John G. Jackson, and seconded, that the said bill be referred to the committee by whom it was originally reported :

And the question being taken thereupon,

It was resolved in the affirmative.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker* : The Senate have passed a bill, entitled "An act to fix the time for the next meeting of Congress;" to which they desire the concurrence of this House. And then he withdrew.

A motion was made by Mr. Gardenier, and seconded, that the House do come to the following resolution :

*Resolved*, That it is expedient that all such provisions in the several acts which relate to the laying and enforcing the embargo, and for prohibiting foreign armed vessels from entering the ports and harbors of the United States, and for prohibiting intercourse between the United States and Great Britain and France, and their dependencies, as ought to be kept in force, should be reduced into one act, and that a committee be appointed to bring in a bill for that purpose:

And on the question that the House do now proceed to the consideration of the said resolution,

It was determined in the negative.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bassett reported that the committee had, according to order, had the said bill under consideration, and made several amendments thereto; which he delivered in at the Clerk's table, where the same were twice read, and concurred in by the House.

*Ordered,* That the said bill, with the amendments, be engrossed, and read the third time to-morrow.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill to continue in force an act declaring the assent of Congress to a certain act of the State of South Carolina, passed the twenty-first of December, one thousand eight hundred and four; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Pitkin reported that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

*Ordered,* That the said bill be engrossed, and read the third time to-morrow.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill supplementary to an act, entitled "An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians," and to establish a land office in the Mississippi Territory; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Desha reported that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

*Ordered,* That the said bill be engrossed, and read the third time to-morrow.

A motion was made by Mr. Gardenier, and seconded, that the House do come to the following resolution:

*Resolved,* That the committee to whom was referred so much of the President's message as relates to intercourse with foreign nations, be instructed to bring in a bill to reduce into one act all such provisions of the several acts which relate to the laying and enforcing the embargo, and for prohibiting foreign armed vessels from entering the ports and harbors of the United States, and for prohibiting intercourse between the United States and Great Britain and France, and their dependencies, as ought to be kept in force:

And, on the question that the House do now proceed to the consideration of the said resolution,

It was determined in the negative, { Yeas ..... 59,  
Nays ..... 66.

The yeas and nays being demanded by one-fifth of the members present,  
Those who voted in the affirmative, are,

Ezekiel Bacon,  
William Baylies,  
Daniel Blaisdell,  
James Breckenridge,  
John C. Chamberlain,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Matthew Clay,  
Samuel W. Dana,  
John Davenport, jun.  
William Ely,  
James Emott,  
Barent Gardenier,  
Charles Goldsborough,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Daniel Heister,  
Jonathan H. Hubbard,  
Robert Jenkins,  
Philip B. Key,  
Herman Knickerbacker,  
Joseph Lewis, junior,  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Matthew Lyon,  
Nathaniel Macon,  
Robert Marion,  
Vincent Matthews,

Archibald M'Bryde,  
Pleasant M. Miller,  
William Milnor,  
Thomas Moore,  
Jeremiah Morrow,  
Jonathan O. Mosely,  
Thomas Newton,  
John Nicholson,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
Elisha R. Potter,  
Josiah Quincy,  
John Randolph,  
Daniel Sheffey,  
Richard Stanford,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Benjamin Tallmadge,  
Jabez Upham,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman,  
James Wilson.

Those who voted in the negative, are,

Lemuel J. Alston,  
 Willis Alston, jun.  
 William Anderson,  
 David Bard,  
 Burwell Bassett,  
 William W. Bibb,  
 Adam Boyd,  
 John Brown,  
 Robert Brown,  
 William A. Burwell,  
 William Butler,  
 Joseph Calhoun,  
 Howell Cobb,  
 James Cochran,  
 James Cox,  
 William Crawford,  
 Henry Crist,  
 Richard Cutts,  
 John Dawson,  
 Joseph Desha,  
 John W. Eppes,  
 William Findley,  
 Jonathan Fisk,  
 Barzillai Gannett,  
 Thomas Gholson, jun.  
 Peterson Goodwyn,  
 William Helms,  
 James Holland,  
 Benjamin Howard,  
 Jacob Hufty,  
 John G. Jackson,  
 Richard M. Johnson,  
 Walter Jones,

Thomas Kenan,  
 William Kennedy,  
 John Love,  
 Aaron Lyle,  
 Samuel M'Kee,  
 Alexander M'Kim,  
 John Montgomery,  
 Nicholas R. Moore,  
 Gurdon S. Mumford,  
 Roger Nelson,  
 Thomas Newbold,  
 John Porter,  
 John Rea, *of Pennsylvania*,  
 John Rhea, *of Tennessee*,  
 Matthias Richards,  
 John Roane,  
 Ebenezer Sage,  
 Thomas Sammons,  
 Lemuel Sawyer,  
 Benjamin Say,  
 Ebenezer Seaver,  
 Samuel Shaw,  
 George Smith,  
 John Smith,  
 Samuel Smith,  
 Henry Southard,  
 John Taylor,  
 John Thompson,  
 Uri Tracy,  
 Robert Weakley,  
 Robert Whitehill,  
 Richard Winn,  
 Robert Witherspoon.

The bill sent from the Senate, entitled "An act to fix the time for the next meeting of Congress," was read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

The several orders of the day were farther postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

### WEDNESDAY, JUNE 7, 1809.

Another member, to wit : Erastus Root, from New York, appeared, produced his credentials, and took his seat in the House ; the oath to support the Constitution of the United States being first administered to him by Mr. Speaker.

Mr. Bibb presented a petition of Benjamin Farar, James Williams, William Stubblefield, and Richard Stern, of the Mississippi Territory, praying to be remunerated for loss of their horses, while in actual service in the expedition to the Sabine river, in the year one thousand eight hundred and six.

The said petition was read, and referred to the Committee of Claims.

On motion of Mr. Lewis,

*Ordered*, That the petitions of Samuel Carson, of Alexandria, and of sundry inhabitants of Washington county, in the District of Columbia, presented on the tenth and nineteenth of January last, be referred to the Committee for the District of Columbia.

Mr. Southard, from the Committee of Revisal and Unfinished Business, made a further report, in part, of such matters of business as were depending and undetermined at the close of the last session of Congress ; which was read, and ordered to lie on the table.

A motion was made by Mr. Love, and seconded, that the House do come to the following resolution :

*Resolved*, That the Committee for the District of Columbia be instructed to report upon what subjects referred to them it will be necessary for Congress to act on during the present session :

And, on the question that the House do agree to the said resolution,  
It was determined in the negative.

On a motion made, and leave given by the House, Mr. Burwell, from the committee appointed on that part of the message from the President of the United States which relates "to the fortification of our sea-port towns," presented, according to order, a bill making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the Northern and Western frontiers of the United States; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

Mr. Say presented two petitions, one from John Loehman, the other from John Duttill, both of the city of Philadelphia, respectively praying to be placed on the pension list of the United States, in consideration of services rendered in the army of the United States, during the Revolutionary war with Great Britain.

The said petitions were read, and ordered to be referred to the Committee of Claims.

On motion of Mr. Say,

*Ordered*, That the petitions of John Keemle, of the city of Philadelphia, presented on the twenty-first of January, one thousand eight hundred and seven, and the twenty-seventh of January last, and the petition of Philip Wilson, senior, of the city of Philadelphia, presented the twelfth of November, one thousand eight hundred and seven, be referred to the Committee of Claims.

Mr. Dana, from the committee appointed on the thirty-first ultimo, presented, according to order, a bill for the benefit of seamen of the United States ; which was received, and read the first time.

On motion.

The said bill was read the second time, and committed to a Committee of the Whole House on Friday next.

On motion of Mr. Johnson, and seconded.

*Resolved*, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post road from Mount Sterling, in Montgomery county, to Winchester, thence to Richmond, and thence to Lancaster; also to inquire into the expediency of establishing a post road from Lexington to Nicholasville, and thence to Danville, all in the State of Kentucky.

Mr. Howard presented a petition of sundry manufacturers of hemp into linen, residing in the State of Kentucky, whose names are thereunto subscribed, praying that such additional duties may be imposed by law upon the importation of hemp and coarse linens from foreign countries, as will effectually encourage the manufacture of those articles within the United States, and prevent their introduction into the United States from abroad.

*Ordered*, That the said petition be referred to the Committee of Commerce and Manufactures.

On motion of Mr. Newton.

*Ordered*, That the Committee of Commerce and Manufactures be discharged from the consideration of the two memorials of Archibald M'Call, and that the said memorials be referred to the Committee of the Whole House to whom is committed the bill authorizing the issuing of debentures in certain cases.

A motion was made by Mr. Lewis, and seconded, that the House do now proceed to the consideration of a resolution proposed by him on the thirty-first ultimo, relative to a removal of the Corps of Engineers from West Point to the City of Washington :  
And the question being taken thereon—

And the question being taken thereupon,

It was determined in the negative.

A motion was made by Mr. Livermore, and seconded, that the House do come to the following resolution :

*Resolved*, That no petition of a private nature shall be received by this House after Monday next, during the present session of Congress :

And on the question to agree to the said resolution,

It was determined in the negative, { Yeas ..... 17,  
{ Nays ..... 104.

The yeas and nays being demanded by one-fifth of the members present,  
Those who voted in the affirmative, are,

**William Baylies,  
John C. Chamberlain,**

**William Chamberlin,  
Epaphroditus Champion,**

Howelll Cobb,  
John Davenport, jun.  
William Ely,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Jonathan H. Hubbard,

Edward St. Loe Livermore,  
Vincent Matthews,  
Jonathan O. Mosely,  
Jabez Upham,  
Laban Wheaton,  
Ezekiel Whitman.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Daniel Blaisdell,  
Adam Boyd,  
James Breckenridge,  
John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
Matthew Clay,  
John Clopton,  
James Cox,  
William Crawford,  
Henry Crist,  
Richard Cutts,  
John Dawson,  
Joseph Desha,  
James Emott,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Barent Gardenier,  
Gideon Gardner,  
Thomas Gholson, jun.  
Charles Goldsborough,  
Peterson Goodwyn,  
Daniel Heister,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,  
Richard Jackson,  
Robert Jenkins,  
Richard M. Johnson,  
Thomas Kenan,  
William Kennedy,  
Philip B. Key,  
Herman Knickerbacker,  
Joseph Lewis, junior,  
Robert Le Roy Livingston,  
John Love,  
Matthew Lyon,  
Aaron Lyle,  
Nathaniel Macon,  
Robert Marion,

Archibald M'Bryde,  
Samuel M'Kee,  
Alexander M'Kim,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
Gurdon S. Mumford,  
Roger Nelson,  
Thomas Newbold,  
Thomas Newton,  
Wilson C. Nicholas,  
John Nicholson,  
Joseph Pearson,  
Benjamin Pickman, jun.  
John Porter,  
Peter B. Porter,  
Elisha R. Potter,  
Josiah Quincy,  
John Rea, of *Pennsylvania*,  
John Rhea, of *Tennessee*,  
Matthias Richards,  
John Roane,  
Erastus Root,  
Ebenezer Sage,  
Thomas Sammons,  
Lemuel Sawyer,  
Benjamin Say,  
Ebenezer Seaver,  
Samuel Shaw,  
Daniel Sheffey,  
John Smilie,  
George Smith,  
John Smith,  
Samuel Smith,  
Henry Southard,  
Richard Stanford,  
John Stanley,  
William Stedman,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Benjamin Tallmadge,  
John Taylor,  
Uri Tracy,  
George M. Troup,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Robert Whitehill,  
James Wilson,  
Richard Winn,  
Robert Witherspoon.

On motion of Mr. Blaisdell, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post road from the town of Hanover, in the State of New Hampshire, to the town of Plymouth, in said State.

On motion of Mr. Fisk,

*Ordered*, That the petitions of sundry inhabitants of Ulster county, and of sundry inhabitants of Orange county, in the State of New York, presented on the tenth and thirtieth of January last, be referred to the Committee on Post Offices and Post Roads.

On motion of Mr. Lyon, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be directed to inquire into the propriety of extending a post road from New Madrid to Little Prairie, from St. Genevieve to Mine au Burton, and from thence to St. Louis, in Louisiana Territory.

On motion of Mr. Mumford,

*Ordered*, That the petition of Joseph Squire, junior, and Isaiah Jennings, of the city of New York, presented on the tenth of January last, be referred to the Committee of Commerce and Manufactures.

On a motion made, and leave given by the House, Mr. Eppes, from the Committee of Ways and Means, presented, according to order, a bill making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

A motion was made by Mr. Sawyer, and seconded, that the House do now proceed to the consideration of a resolution proposed by him on the sixth instant, for the appointment of a standing "Committee of Manufactures."

And the question being taken thereupon,

It was determined in the negative.

An engrossed bill supplementary to an act, entitled "An act making appropriations for carrying into effect a treaty between the United States, and the Chickasaw tribe of Indians," and to establish a Land Office in the Mississippi Territory, was read the third time.

*Resolved*, That the said bill do pass, and that the title be, "An act supplementary to an act, entitled 'An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians,' and to establish a Land Office in the Mississippi Territory."

An engrossed bill authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the Commissioners and Clerk, was read the third time.

*Resolved*, That the said bill do pass, and that the title be, "An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the Commissioners and Clerk."

An engrossed bill to continue in force an act declaring the assent of Congress to a certain act of the State of South Carolina, passed the twenty-first of December, one thousand eight hundred and four, was read the third time.

*Resolved*, That the said bill do pass, and that the title be, "An act to continue in force an act declaring the assent of Congress to a certain act of the State of South Carolina, passed the twenty-first of December, one thousand eight hundred and four."

*Ordered*, That the Clerk of this House do carry the said bills to the Senate, and desire their concurrence.

The House proceeded to consider the resolution proposed by Mr. Bacon, on the thirty-first ultimo, in the words following, to wit:

*Resolved*, That the Secretary of the Treasury be directed to prepare and report to this House at their next session, a plan for the application of such means as are within the power of Congress, for the purpose of protecting and fostering the manufactures of the United States; together with a statement of the several manufacturing establishments which have been commenced, the progress which has been made in them, and the success with which they have been attended; and such other information as in the opinion of the Secretary, shall be material in exhibiting a general view of the manufactures of the United States.

A motion was made by Mr. Lyon, and seconded, to amend the said resolution by striking out the words "at their next session:"

And the question being taken thereupon,

It was determined in the negative.

A motion was then made by Mr. Van Horn, and seconded, to amend the said resolution by striking out the following words; "a plan for the application of such means

as are within the power of Congress, for the purpose of protecting and fostering the manufactures of the United States, together with :"

And the question being taken thereupon,

It was determined in the negative.

The question was then taken to agree to the said resolution, as originally proposed.

And resolved in the affirmative, { Yeas ..... 93,  
Nays ..... 38.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
William Baylies,  
David Bard,  
Adam Boyd,  
James Breckenridge,  
John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
John C. Chamberlain,  
William Chamberlin,  
Martin Chittenden,  
Matthew Clay,  
John Clopton,  
Orchard Cook,  
James Cox,  
William Crawford,  
Henry Crist,  
Samuel W. Dana,  
John Dawson,  
Joseph Desha,  
James Emott,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
Peterson Goodwyn,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Daniel Heister,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,  
Richard Jackson,  
Robert Jenkins,  
Richard M. Johnson,  
Thomas Kenan,

Philip B. Key,  
Herman Knickerbacker,  
Aaron Lyle,  
Robert Marion,  
Archibald M'Bryde,  
Samuel M'Kee,  
Alexander M'Kim,  
Pleasant M. Miller,  
William Milnor,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
Gurdon S. Mumford,  
Roger Nelson,  
Thomas Newbold,  
Thomas Newton,  
Wilson C. Nicholas,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
John Porter,  
Josiah Quincy,  
John Rhea, of Tennessee,  
Matthias Richards,  
Erastus Root,  
John Ross,  
Ebenezer Sage,  
Lemuel Sawyer,  
Benjamin Say,  
Ebenezer Seaver,  
Samuel Shaw,  
Daniel Sheffey,  
George Smith,  
John Smith,  
Samuel Smith,  
Henry Southard,  
Richard Stanford,  
John Stanley,  
Benjamin Tallmadge,  
Uri Tracy,  
George M. Troup,  
Robert Whitehill,  
James Wilson,  
Richard Winn,  
Robert Witherspoon.

Those who voted in the negative, are,

Burwell Bassett,  
William W. Bibb,  
Daniel Blaisdell,  
John Campbell,  
Epaphroditus Champion,

Howell Cobb,  
James Cochran,  
John Davenport, jun.  
William Ely,  
Barent Gardenier,

Charles Goldsborough,  
Jonathan H. Hubbard,  
Walter Jones,  
William Kennedy,  
Joseph Lewis, junior,  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Nathaniel Macon,  
Vincent Matthews,  
Jonathan O. Mosely,  
John Nicholson,  
Peter B. Porter,  
Elisha R. Potter,  
John Randolph,

John Rea, of *Pennsylvania*,  
John Roane,  
Thomas Sammons,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
John Taylor,  
John Thompson,  
Jabez Upham,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman.

Mr. Cook presented a petition of Zebulon Wade, of the District of Maine, praying to be paid the amount of money expended by him in curing a wound received in the present year, whilst a sailor in the public service, and that, in consideration of the said wound, he may be placed on the pension list of the United States.

The said petition was read, and referred to the Committee of Claims.

The several orders of the day were farther postponed until to-morrow.

And the House adjourned until to-morrow eleven o'clock.

#### THURSDAY, JUNE 8, 1809.

On motion of Mr. Lewis,

*Ordered*, That the petition of sundry inhabitants of Washington county, in the District of Columbia, presented on the fourteenth of March, one thousand eight hundred and eight, be referred to the Committee for the District of Columbia.

Mr. Nelson, from the committee appointed on the sixth instant, presented, according to order, a bill in addition to the act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio ; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. W. Chamberlin,

*Ordered*, That the Committee of Claims be discharged from the consideration of the petition of Joseph Huntoon, referred to them on the first instant ; and that the petitioner have leave to withdraw his said petition.

Mr. Love, from the Committee for the District of Columbia, presented, according to order, a bill to amend the charter of Alexandria ; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House on Monday next.

Mr. Gardner presented petitions from sundry manufacturers of salt, within the State of Massachusetts, whose names are thereunto subscribed, praying that a duty may be imposed by law, on the importation of salt from foreign places.

Mr. Milnor presented a petition from the manufacturers of hats residing in the borough of Lancaster, State of Pennsylvania, whose names are thereunto subscribed, to the same effect with a petition of the manufacturers of hats in Fredericktown, State of Maryland, presented on the twenty-fifth ultimo.

*Ordered*, That the said petitions be severally referred to the Committee of Commerce and Manufactures.

On motion of Mr. Say, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be instructed to inquire into the propriety of extending the post road from the town of Easton, in Northampton county, in the State of Pennsylvania, to the town of Berwick, in Northumberland county, in the same State.

Mr. Hubbard presented a petition of Larned Lamb, of the State of Vermont, late a captain in the army of the United States, praying to be exonerated from the payment of a sum of money, belonging to the public, and placed in his possession for the purpose of recruiting, which money was accidentally lost while in the discharge of his official duty.

The said petition was read, and referred to the Committee of Claims.

The Speaker laid before the House a report from the Secretary of the Navy upon the subject of the gun-boats belonging to the navy of the United States, made in obedience to a resolution of the twenty-sixth ultimo ; which was read, and referred to the committee appointed on that part of the message from the President which relates to the naval establishment.

Mr. Findley, from the Committee of Elections, to whom were referred, during the present session, the petition of Charles Turner, junior, and petitions from sundry inhabitants of the District of Plymouth, in the State of Massachusetts, contesting the election of William Baylies, returned to serve as one of the members of this House for the said State, made a report thereon ; which was read, and referred to a Committee of the Whole House on Monday next.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the Northern and Western frontiers of the United States ; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Desha reported that the committee had, according to order, had the said bill under consideration, and made some progress therein.

*Resolved*, That this House will, to-morrow, again resolve itself into a Committee of the Whole House on the said bill.

A message from the Senate, by Mr. Otis, their Secretary:

*Mr. Speaker* : The Senate have passed two bills : one, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the Northern and Western frontiers of the United States ;" the other, entitled "An act to suspend, for a limited time, the recruiting service ;" to which bills they desire the concurrence of this House. And then he withdrew.

The bill sent from the Senate, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the Northern and Western frontiers of the United States, was read the first time.

On motion,

The said bill was read the second time, and referred to the Committee of the Whole House to whom is committed, the bill making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the Northern and Western frontiers of the United States.

The bill sent from the Senate, entitled "An act to suspend, for a limited time, the recruiting service," was read the first time.

On motion,

The said bill was read the second time, and referred to the committee appointed on that part of the message from the President of the United States which relates to the military establishment.

A message, in writing, was received from the President of the United States, by Mr. Graham, who delivered in the same, and then he withdrew.

The House then, according to the order of the day, resolved itself into a Committee of the Whole House on the bill from the Senate, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the Northern and Western frontiers of the United States ; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Desha reported that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

A motion was made by Mr. Burwell, and seconded, to amend the said bill by striking out the word "*seven*," preceding the words "hundred and fifty thousand dollars," and to insert the word "*one*."

A division of the question on the said amendment was called for:

And the question being taken to strike out the word "seven,"

It was determined in the negative, { Yeas ..... 47,  
  { Nays ..... 84.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

Lemuel J. Alston,  
 David Bard,  
 Burwell Bassett,  
 William W. Bibb,  
 Adam Boyd,  
 Robert Brown,  
 William A. Burwell,  
 William Butler,  
 Joseph Calhoun,  
 Matthew Clay,  
 John Clopton,  
 James Cochran,  
 William Crawford,  
 Henry Crist,  
 Richard Cutts,  
 Joseph Desha,  
 John W. Eppes,  
 Meshack Franklin,  
 Barzillai Gannett,  
 Thomas Gholson, jun.  
 Peterson Goodwyn,  
 James Holland,  
 Richard M. Johnson,  
 Thomas Kenan,

Those who voted in the negative, are,

Willis Alston, junior,  
 William Anderson,  
 Ezekiel Bacon,  
 William Baylies,  
 Daniel Blaisdell,  
 James Breckenridge,  
 John Brown,  
 John Campbell,  
 John C. Chamberlain,  
 William Chamberlin,  
 Epaphroditus Champion,  
 Martin Chittenden,  
 Orchard Cook,  
 James Cox,  
 Samuel W. Dana,  
 John Davenport, jun.  
 John Dawson,  
 William Ely,  
 James Emott,  
 William Findley,  
 Jonathan Fisk,  
 Barent Gardenier,  
 Gideon Gardner,  
 Charles Goldsborough,  
 Thomas R. Gold,  
 William Hale,  
 Nathaniel A. Haven,  
 Daniel Heister,  
 William Helms,  
 Benjamin Howard,  
 Jonathan H. Hubbard,  
 Jacob Hufty,  
 Richard Jackson, jun.  
 Robert Jenkins,  
 Walter Jones,  
 Herman Knickerbacker,  
 Joseph Lewis, jun.  
 Edward St. Loe Livermore,

William Kennedy,  
 John Love,  
 Aaron Lyle,  
 Nathaniel Macon,  
 John Montgomery,  
 Thomas Moore,  
 Jeremiah Morrow,  
 John Porter,  
 John Randolph,  
 John Rea, of *Pennsylvania*,  
 Matthias Richards,  
 John Roane,  
 Lemuel Sawyer,  
 Ebenezer Seaver,  
 Samuel Shaw,  
 John Smith,  
 Samuel Smith,  
 Henry Southard,  
 Richard Stanford,  
 Jacob Swoope,  
 Robert Whitehill,  
 Richard Winn,  
 Robert Witherspoon.

Robert Le Roy Livingston,  
 Matthew Lyon,  
 Robert Marion,  
 Vincent Matthews,  
 Archibald M'Bryde,  
 Alexander M'Kim,  
 Pleasant M. Miller,  
 William Milnor,  
 Nicholas R. Moore,  
 Jonathan O. Mosely,  
 Gurdon S. Mumford,  
 Roger Nelson,  
 Thomas Newbold,  
 Thomas Newton,  
 Wilson C. Nicholas,  
 John Nicholson,  
 Joseph Pearson,  
 Benjamin Pickman, jun.  
 Timothy Pitkin, jun.  
 Peter B. Porter,  
 Josiah Quincy,  
 John Rhea, of *Tennessee*,  
 Erastus Root,  
 John Ross,  
 Ebenezer Sage,  
 Thomas Sammons,  
 Benjamin Say,  
 Daniel Sheffey,  
 George Smith,  
 John Stanley,  
 William Stedman,  
 James Stephenson,  
 Lewis B. Sturges,  
 Samuel Taggart,  
 Benjamin Tallmadge,  
 John Taylor,  
 John Thompson,  
 Uri Tracy,

George M. Troup,  
Jabez Upham,  
Archibald Van Horn,  
Killian K. Van Rensselaer,

Robert Weakley,  
Leban Wheaton,  
Ezekiel Whitman,  
James Wilson.

The question upon the first member of the motion to amend being lost, the second member failed of course.

*Ordered*, That the said bill be read the third time to morrow.

The several orders of the day were farther postponed until to-morrow.

And then the House adjourned until to-morrow morning eleven o'clock.

### FRIDAY, JUNE 9, 1809.

Another member, to wit : Nicholas Van Dyke, from Delaware, appeared, produced his credentials, and took his seat in the House ; the oath to support the Constitution of the United States being first administered to him by Mr. Speaker.

The message, in writing, yesterday received from the President of the United States, was read, and is as followeth :

*To the House of Representatives :*

In compliance with the request of the Legislature of Pennsylvania, I transmit to Congress a copy of certain of its proceedings, communicated for the purpose by the Governor of that State.

JAMES MADISON.

JUNE 4, 1809.

*Ordered*, That the said message, and documents accompanying the same, do lie on the table.

On motion of Mr. Johnson,

*Ordered*, That the Committee of Claims be discharged from the consideration of the petition of George Vaughan, and a report of the Secretary of War thereon, referred to them on the thirty-first ultimo ; and that the petitioner have leave to withdraw his petition.

Mr. Johnson, from the Committee of Claims, to whom was referred, on the thirtieth ultimo, the petition of John Ervine, of the State of South Carolina, made a report thereon ; which was read, and ordered to lie on the table.

Mr. Johnson, from the same committee, made a report on the petition of Archibald M'Kinley, of the State of New York, referred to them on the thirty-first ultimo ; which was read, and the resolution therein contained agreed to by the House, as follows :

*Resolved*, That the prayer of the petition ought *not* to be granted.

Mr. Johnson, from the same committee, also reported on the petition of Ab. Motte, of the State of South Carolina, referred on the twenty-fifth ultimo ; which was read, and ordered to lie on the table.

Mr. Johnson, from the same committee, also reported on the petition of Ludwick Kuhn, of the city of Philadelphia ; which was read, and ordered to lie on the table.

Mr. Johnson, from the same committee, also reported on the petition of Hannah Foster, of the city of Philadelphia, referred on the thirty-first ultimo ; which was read.

The question was then taken upon concurring with the resolution submitted by the committee in the words following, to wit :

*Resolved*, That the prayer of the petitioner ought *not* to be granted,

And determined in the negative.

A motion was then made by Mr. Gardenier, and seconded, to reconsider the vote last taken :

And the question being taken thereupon,

It was determined in the negative.

On motion of Mr. Eppes, and seconded,

*Ordered*, That the said report and petition be recommitted to the Committee of Claims, with instruction to examine into the merits of the claim of the petitioner, and detail the same in a report to the House.

Mr. Wheaton presented a petition of sundry inhabitants of the State of Massachusetts, whose names are thereunto subscribed, to the same effect with a petition of sundry other inhabitants of the said State, presented on the twenty-fifth ultimo.

*Ordered*, That the said petition be referred to the Committee on Post Offices and Post Roads.

On motion.

A message from the Senate, by Mr. Otis, their Secretary :

On a motion made, and leave given by the House, Mr. Rhea, from the Committee on Post Offices and Post Roads, presented, according to order, a bill to alter and establish certain post roads; which was received, and read the first time.

On motion,

Mr. Nelson, from the committee appointed on that part of the message from the President of the United States which relates to the military establishment, to whom was referred, on the twenty-sixth ultimo, a resolution for immediately disbanding the troops raised by virtue of "An act to raise, for a limited time, an additional military force," and for applying any balances of appropriation for that object and for gun-boats towards arming and equipping the whole body of the militia of the United States, made a report thereon ; which was read, and referred to a Committee of the Whole House on Monday next.

And on the question that the same do pass,

The yeas and nays being demanded by one-fifth of the members present,  
Those who voted in the affirmative, are,

Jonathan H. Hubbard,  
Jacob Hufty,  
John G. Jackson,  
Richard Jackson,  
Robert Jenkins,  
Walter Jones,  
Herman Knickerbacker,  
Joseph Lewis, jun.  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Robert Marion,  
Vincent Matthews,  
Archibald M'Bryde,  
Alexander M'Kim,  
Pleasant M. Miller,  
William Milnor,  
Nicholas R. Moore,  
Jonathan O. Mosely,  
Gurdon S. Mumford,  
Roger Nelson,  
Thomas Newton,  
John Nicholson,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.

Peter B. Porter,  
Elisha R. Potter,  
Josiah Quincy,  
John Rhea, *of Tennessee*,  
Erastus Root,  
John Ross,  
Ebenezer Sage,  
Thomas Sammons,  
Benjamin Say,  
Daniel Sheffey,  
George Smith,  
John Stanley,  
William Stedman,  
James Stephenson,

Lewis B. Sturges,  
Samuel Taggart,  
Benjamin Tallmadge,  
John Taylor,  
John Thompson,  
Uri Tracy,  
Jabez Upham,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Robert Weakley,  
Laban Wheaton,  
Ezekiel Whitman,  
James Wilson.

Those who voted in the negative, are,

Lemuel J. Alston,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Adam Boyd,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
Matthew Clay,  
James Cochran,  
William Crawford,  
Henry Crist,  
Joseph Desha,  
John W. Eppes,  
Meshack Franklin,  
Barzillai Gannett,  
Thomas Gholson, jr.  
Peterson Goodwyn,  
James Holland,  
Richard M. Johnson,  
William Kennedy,

John Love,  
Aaron Lyle,  
Nathaniel Macon,  
Samuel M'Kee,  
John Montgomery,  
Thomas Moore,  
Jeremiah Morrow,  
John Randolph,  
John Rea, *of Pennsylvania*,  
Matthias Richards,  
John Roane,  
Ebenezer Seaver,  
Samuel Shaw,  
John Smith,  
Samuel Smith,  
Henry Southard,  
Richard Stanford,  
Jacob Swoope,  
Robert Whitehill,  
Richard Winn,  
Robert Witherspoon.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

Mr. Randolph presented a petition of Joshua Power, praying to be allowed the arrearages of pay, and a grant of land, in consideration of his services as a soldier in the Maryland line of the Continental army, during the Revolutionary war with Great Britain.

The said petition was read, and referred to the Committee of Claims.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill supplementary to the act, entitled "An act making further provision for the support of public credit, and for the redemption of the public debt;" and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Pitkin reported that the committee had, according to order, had the said bill under consideration, and made some progress therein.

*Resolved*, That this House will, on Monday next, again resolve itself into a Committee of the Whole House on the said bill.

On motion of Mr. John G. Jackson, and seconded,

*Resolved*, That a committee be appointed to ascertain whether any immediate alteration can be made in the Representative Hall, which will contribute to ventilate it; and cause the same to be made under their direction.

*Ordered*, That Mr. John G. Jackson, Mr. Howard, and Mr. Dana, be appointed a committee, pursuant to the said resolution.

Mr. M'Kim, from the committee to whom was referred the petition of sundry citizens of the United States confined at Carthage, in South America made a report thereon; which was read, and referred to a Committee of the Whole House on Monday next.

On motion of Mr. John G. Jackson,

*Ordered*, That when the House adjourns, it will adjourn to meet again on Monday next.

The several orders of the day were further postponed until Monday next. And then the House adjourned until Monday morning eleven o'clock.

MONDAY, JUNE 12, 1809.

Mr. Nelson, from the Committee on the Military Establishment, to whom was referred the bill sent from the Senate, entitled "An act to suspend, for a limited time, the recruiting service," reported the same, without amendment.

*Ordered*, That the said bill be committed to the Committee of the Whole House on the report of the Committee on the Military Establishment on the expediency of immediately disbanding the troops recruited under the "Act to raise, for a limited time, an additional military force."

Mr. Bibb presented a petition of William Gaston, merchant of Savannah, in the State of Georgia, praying to be exonerated from the payment of a bond given to the United States, upon the clearance of a brig called the Eliza and Mary, from the port of Savannah for the port of New York, laden with cotton, which vessel, unknown to him, and through the directions of her owner and commander, fraudulently proceeded for a port in Europe, in violation of the "Act laying an embargo on all ships and vessels in the ports and harbors of the United States."

Mr. Southard presented a memorial of sundry inhabitants of the State of New Jersey, whose names are thereunto subscribed, praying that the town of Jersey may be made a port of entry.

Mr. Quincy presented petitions from sundry manufacturers of salt in the State of Massachusetts, whose names are thereunto subscribed, respectively praying that duties may be imposed on salt imported from foreign places.

Mr. Wheaton presented a petition from sundry other manufacturers of salt within the said State, to the same effect.

Mr. Gardner presented similar petitions from manufacturers of salt in the towns of Brewster, Dennis, and Truro, in the said State.

Mr. Say presented a memorial of Antonio Ama, a subject of his Catholic Majesty, and late from Vera Cruz, praying to be allowed the proceeds of an adventure of about three thousand dollars in merchandise, which he shipped on board the schooner William and Samuel, in the month of August last, which merchandise was condemned as forfeited to the United States, for a violation of the laws relating to an embargo, of which, as he states, he was wholly ignorant.

Mr. Dana presented a petition of Henry Mead, of New Haven, in the State of Connecticut, praying that the duty at present imposed on the importation of camphor and borax, in its crude and unrefined state, may be repealed.

*Ordered*, That the said petitions be severally referred to the Committee of Commerce and Manufactures.

Mr. Holland presented a petition of Frederick Sponcelar, praying to be allowed a balance of pay due for his services as a soldier in the Continental army, during the Revolutionary war with Great Britain.

Mr. Sturges presented a petition of Daniel Bradley, of the State of Connecticut, a Major in the army of the United States, praying to be allowed the value of a horse which was killed while in the actual discharge of his official duty.

*Ordered*, That the said petitions be severally referred to the Committee of Claims.

On motion of Mr. Lewis,

*Ordered*, That the petition of Lucy Dixon, of Winchester, in the State of Virginia, presented the twenty-fifth of November, one thousand eight hundred and eight, be referred to the Committee of Claims.

On motion of Mr. Love,

*Ordered*, That the petition of John Strother, of the State of Virginia, presented the eighth of December, one thousand eight hundred and eight, be referred to the Committee of Claims.

*Ordered*, That Mr. Gardenier and Mr. Newbold have leave to be absent from the service of this House for the remainder of the session.

Mr. Desha presented a petition of sundry inhabitants of the counties of Bourbon, Nicholas, Fleming, Lewis, and Greenup, in the State of Kentucky, whose names are thereunto subscribed, praying the establishment of a post road from Cynthiana, by Paris and Mount Sterling, to the Big Sandy salt works, in the said State.

Mr. Desha also presented a petition from sundry inhabitants of the counties of Bourbon, Harrison, and Montgomery, in the State of Kentucky, whose names are thereunto subscribed, to the like effect with the petition last stated.

*Ordered*, That the said petitions be severally referred to the Committee of the Whole House on the bill to alter and establish certain post roads.

Mr. Montgomery, from the committee appointed on the second instant, presented, according to order, a bill making compensation to Major Zebulon M. Pike, and his companions; which was received and read the first time, and ordered to lie on the table.

Mr. Montgomery, from the same committee, also presented a detailed report in relation to the services of Major Pike and his companions, in their late exploring expeditions; which was read, and ordered to lie on the table.

The Speaker laid before the House a report of the Attorney General of the United States on the petitions of Edward Livingston, and of sundry inhabitants of the city and Territory of Orleans, in relation to a parcel of ground adjoining the city of New Orleans, called the Batture, referred to him during the last session of Congress; which was read, and referred to Mr. Macon, Mr. Nicholas, Mr. Smilie, Mr. Seaver, and Mr. Thompson.

On a motion made, and leave given by the House, Mr. Newton, from the Committee of Commerce and Manufactures, presented, according to order, a bill making appropriations for rebuilding two light-houses on Plumb Island, in the State of Massachusetts; which was received and read, the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House on Wednesday next.

Mr. Southard, from the committee appointed on the first instant, presented, according to order, a bill to revive and make permanent "An act to prescribe the mode of taking evidence in cases of contested elections for Members of the House of Representatives of the United States, and to compel the attendance of witnesses," and in addition to the same; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House on Wednesday next.

A message from the Senate, by Mr. Otis, their Secretary:

*Mr. Speaker* : The Senate have passed the bill, entitled "An act supplementary to the act, entitled 'An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians,' and to establish a Land Office in the Mississippi Territory;" they have passed a resolution, in the form of a concurrent resolution of the two Houses, proposing an adjournment of the present session of Congress on the twentieth of the present month. And then he withdrew.

Mr. Love presented a petition of David Blackwell, of the State of Virginia, praying to be allowed the amount of a loan office certificate issued by the Treasurer of Loans for the said State of Virginia, for debts contracted by the United States during the Revolutionary war with Great Britain.

Mr. Mumford presented a memorial of James Connel, of the city of New York, praying relief in consideration of personal injuries received in the public service at the Navy Yard, at the said city of New York.

The said petitions were read, and severally referred to the Committee of Claims.

The Speaker presented a petition from the inhabitants of the district East of Pearl River, in the Mississippi Territory, whose names are thereunto subscribed, praying that the said Territory may be divided into two separate Governments, and that Pearl River may be the boundary line of the divisions.

The said petition was read, and ordered to lie on the table.

Mr. Gholson, from the Joint Committee for Enrolled Bills, reported that the committee had examined an enrolled bill, entitled "An act making appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the Northern and Western frontiers of the United States," and had found the same to be truly enrolled: Whereupon,

Mr. Speaker signed the said enrolled bill.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill authorizing the discharge of John Heard from his imprisonment; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cutts reported that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

*Ordered*, That the said bill be engrossed, and read the third time to-morrow.

The House proceeded to consider the joint resolution from the Senate, designating the time for the adjournment of the present session of Congress; when it was,

*Ordered*, That the consideration of the said joint resolution be postponed until Thurs. day next.

The bill sent from the Senate, entitled "An act for extending the benefit of a drawback of the duties upon exportation of all goods, wares, and merchandise, subject thereto, that may be transported by land from the District of Newport to the port of Boston, and from said Boston to said Newport," was read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

Mr. John G. Jackson, from the committee appointed to inquire into some method of ventilating the Hall of the Representatives, made a report; which was read, and ordered to lie on the table.

The House proceeded to consider the amendments of the Senate to the bill, entitled "An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk."

A motion was made by Mr. John G. Jackson and seconded, that the said amendments, together with the bill, be committed to a Committee of the Whole House:

And the question being taken thereupon,

It was determined in the negative.

On motion, of Mr. Morrow,

*Ordered*, That the said bill and amendments be committed to the Committee on the Public Lands.

On a motion made, and leave given by the House, Mr. Cutts, from the committee appointed on that part of the message from the President of the United States which relates to the naval establishment, presented, according to order, a bill concerning the naval establishment; which was received, and read the first time.

On motion

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

Mr. Cutts, from the same committee who were instructed by a resolution of the sixth instant, to inquire into the expediency of selling such of the public armed vessels and gun-boats as are not employed in actual service, made a report thereon; which was read, and ordered to lie on the table.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the report of the Committee of Elections upon the contested election of William Baylies, one of the members returned to serve in this House for the State of Massachusetts; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Pitkin reported that the committee had, according to order, had the said report under consideration, and made some progress therein, and directed him to ask leave of the House to sit again.

The question was then taken that the Committee of the Whole House have leave to sit again,

And determined in the negative.

A motion was made by Mr. Macon, and seconded, that the said report be recommitted to the Committee of Elections:

And debate arising thereon,

And adjournment was called for: On which,

The several orders of the day were farther postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

## TUESDAY, JUNE 13, 1809.

Mr. Smilie presented a memorial of the hat manufacturers resident in the city of Philadelphia, whose names are thereunto subscribed, praying that additional duties may be imposed upon hats imported from foreign countries.

*Ordered*, That the said memorial be referred to the Committee of Commerce and Manufactures.

Mr. John G. Jackson, from the committee on that part of the message from the President of the United States which relates to our foreign relations, presented an amendatory bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House on Thursday next.

On motion made, and leave given by the House, Mr. Stanley, from the committee appointed on the petition of John Kerr, presented, according to order, a bill for the relief of John Kerr; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

Mr. Morrow, from the Committee on the Public Lands, to whom was yesterday referred the amendments of the Senate to the bill, entitled "An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk," reported the disagreement of the committee to the said amendments.

A motion was made by Mr. John G. Jackson, and seconded, that the report and amendments, together with the bill, be committed to a Committee of the Whole House:

And the question being taken thereupon,

It was determined in the negative.

The question was then taken upon concurring with the committee in their disagreement to the said amendments,

And resolved in the affirmative.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

Mr. Lewis presented a petition of Alexander Williams, of the District of Columbia, praying to be allowed the balance of his pay as a soldier in the Virginia line of the Continental army, during the Revolutionary war with Great Britain.

Mr. Stanley presented a petition of Jacob Call, of the State of North Carolina, praying the liquidation and settlement of certain loan office certificates, the property of a certain Samuel Rosebrough, who was a minor and under the guardianship of the petitioner at the time the said certificates were issued.

The said petitions were read, and severally referred to the Committee of Claims.

Mr. Poindexter presented a petition of sundry inhabitants residing near the Tombigbee river, in the Mississippi Territory, whose names are thereunto-subscribed, praying, for the reasons therein stated, that certain goods and merchandises, which they import from the Spanish settlements, may be permitted to pass Fort Stoddert free of duty.

The said petition was read, and referred to the Committee of Ways and Means.

Mr. Whitman presented a memorial of the manufacturers of hats in the town of Portland, District of Maine, to the same effect with the memorial of the hat manufacturers in the City of Philadelphia, presented this day.

Mr. Gardner presented petitions from the manufacturers of salt in the towns of Orleans and Yarmouth, in the State of Massachusetts, praying that additional duties may be imposed on the importation of salt from foreign countries.

The said petitions were read, and severally referred to the Committee of Commerce and Manufactures.

Mr. Whitman presented a petition of sundry inhabitants of the town of Hebron, in the District of Maine, whose names are thereunto subscribed, praying the establishment of a post route from the Minot post office to the academy in the said town of Hebron.

The said petition was read, and referred to the Committee on Post Offices and Post Roads.

On motion of Mr. Whitman, and seconded,

*Resolved*, That the Committee on Post Offices and Post Roads be directed to inquire into the expediency of altering the post route established from Portland, in the District of Maine, through New Gloucester and Turner to Paris, and from thence, through Norway and Windham, to Portland, by discontinuing the same, and establishing two others, viz: one from Portland, through Windham and Norway, to Paris, and back through the same towns to Portland; and the other from New Gloucester, through Turner, to Paris, and from thence back by Hebron academy, through Minot, to New Gloucester.

Mr. Love, from the Committee for the District of Columbia, presented, according to order, a bill for the improvement of the navigation of the river Potomac; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House on Friday, the twenty-third of the present month.

The House resumed the consideration of the unfinished business of yesterday, and the question depending at the time of adjournment, to recommit the report of the Committee of Elections in the case of the contested election of William Baylies to the said committee, was again stated:

And after farther debate thereon,

The said question was taken,

And resolved in the affirmative.

A message from the Senate by Mr. Otis, their Secretary:

*Mr. Speaker:* The Senate have passed the bill, entitled "An act to continue in force 'An act declaring the assent of Congress to a certain act of the State of South Carolina, passed the twenty-first of December, one thousand eight hundred and four.'" The Senate recede from the amendments to the bill, entitled "An act authorizing the appointment of an agent for the Land Office at Kaskaskia, and allowing compensation to the commissioners and clerk," which amendments have been disagreed to by this House, And then he withdrew.

A motion was made by Mr. Bacon, and seconded, that the House do come to the following resolution:

*Resolved,* That the Committee of Elections be instructed to inquire whether there is any further evidence of particular facts stated as expected hereafter to be obtained either by the sitting member, or by the person who claims a right to said seat, which, in the opinion of the committee, may be material to the decision in said case, and which is not now in the possession of the committee; and that they report to the House a statement of the particular facts that such evidence is proposed to be adduced to prove, and what measures, if any, may be necessary to be adopted by the House to procure the same: and if there is no such evidence stated by either of the parties as capable of being hereafter adduced, that the committee be instructed to proceed upon the evidence already in their possession, to consider and report upon the merits of said case.

A motion was made by Mr. Potter, and seconded, to amend the said resolution, by adding to the end thereof, the following words: "and likewise to report whether the depositions already taken were authorized by any existing law of the United States:"

And the question being taken thereupon,

It was determined in the negative.

The question was then taken upon agreeing to the resolution as originally proposed, And determined in the negative.

An engrossed bill authorizing the discharge of John Heard from his imprisonment was read the third time.

*Resolved,* That the said bill do pass, and that the title be, "An act authorizing the discharge of John Heard from his imprisonment."

*Ordered,* That the Clerk of this House do carry the said bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the report of the committee appointed on the petition of sundry citizens of the United States, confined at Carthagen, in South America; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Willis Alston reported that the committee had, according to order, had the said report under consideration, and directed him to report to the House their agreement to the resolution therein contained, in the words following:

*Resolved,* That the President of the United States be requested to adopt the most immediate and efficacious means in his power to obtain the liberation of the petitioners, if it shall appear, to his satisfaction, that they were involuntarily drawn into the unlawful enterprise in which they were engaged; and that ——— dollars be appropriated to that purpose.

An adjournment was then called for: On which,

The several orders of the day were farther postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

### WEDNESDAY, JUNE 14, 1809.

On a motion made, and leave given by the House, Mr. Newton, from the Committee of Commerce and Manufactures, presented, according to order, a bill to relinquish and remit the claim of the United States to any moneys arising from the condemnation of the ship Clara, late the property of Andrew Foster and Jacob P. Giraud; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

Mr. Newton, from the same committee, to whom was referred the petition of Andrew Foster and Jacob P. Giraud, also reported a detailed statement of the facts relat-

ing to the case of the petitioners ; which was read, and referred to the same Committee of the Whole House.

Mr. Eppes, from the Committee of Ways and Means, to whom was referred, on the twenty-sixth ultimo, the petition of Nathaniel Fosdick, made a report thereon ; which was read, and ordered to lie on the table.

On motion of Mr. Rhea, of Tennessee,

*Ordered*, That the Committee on Post Offices and Post Roads be discharged from the farther consideration of all petitions and resolutions referred to them during the present session.

Mr. Gholson, from the Joint Committee for Enrolled Bills, reported that the committee did, this day, present to the President of the United States, for his approbation, an enrolled bill, entitled "An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the Northern and Western frontiers of the United States."

On motion of Mr. Dana, and seconded,

*Resolved*, That a committee be appointed to inquire into the propriety of adopting any legislative provision, respecting the extent of the maritime precincts of the United States, and the safeguard of navigation within the same, and whether, in addition to the existing provision against captures, within a maritime league from any part of the shores, it would be proper, by law, to authorize the President of the United States, for the benefit of the commercial interests or revenue thereof, after causing reasonable notification to be given, when he may deem it expedient, to prohibit foreign armed vessels from seizing or molesting any coasting vessel or merchant vessels bound to or from the United States, whenever the same may be in any of the roadsteads of the United States, or in any other waters within sight of land, and within lines extending from one cape or head-land to another, along the coasts of the United States ; and that the committee have leave to report by bill, or otherwise.

*Ordered*, That Mr. Dana, Mr. Root, Mr. Whitman, Mr. Cobb, and Mr. M'Kee, be appointed a committee, pursuant to the said resolution.

Mr. Gholson, from the Joint Committee for Enrolled Bills, reported that the committee had examined the following enrolled bills, to wit :

"An act authorizing the appointment of an agent for the Land Office at Kaskaskia, and allowing compensation to the Commissioners and Clerk ;"

"An act to continue in force an act declaring the assent of Congress to a certain act of the State of South Carolina, passed the twenty-first of December, one thousand eight hundred four ;" and

"An act supplementary to an act, entitled 'An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians, and to establish a Land Office in the Mississippi Territory ;' and had found the same to be truly enrolled : Whereupon,

Mr. Speaker signed the said enrolled bills.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

On motion of Mr. Morrow,

*Ordered*, That the Committee on the Public Lands be discharged from the further consideration of the report of the Governor and Judges of the Territory of Michigan, referred to them on the sixth instant.

Mr. Ross presented a memorial of Daniel Gore, of the county of Luzerne, in the State of Pennsylvania, praying to be placed on the pension list of the United States, in consideration of a wound he received whilst a Lieutenant in the Connecticut line of the Continental army, during the Revolutionary war with Great Britain.

The said petition was read, and referred to the Committee of Claims.

Mr. Gardner presented a petition from the towns of Brewster, Chatham, Orleans, Eastham, Willfleet, and Truro, in the State of Massachusetts, signed by the Agents for the inhabitants of the said towns, praying that a division of the revenue district of Barnstable, in the said State, may take place ; and that the town of Orleans may be made the port of entry for the new district.

The said petition was read, and referred to the Committee of Commerce and Manufactures.

On motion of Mr. Peter B. Porter, and seconded,

*Resolved*, That the Committee of Commerce and Manufactures be instructed to inquire into the expediency of removing the office of Collector of the Customs from Fort Niagara to Lewistown, in the district of Niagara ; and from Buffalo Creek to Black Rock, in the district of Buffalo ; and that they report by bill, or otherwise.

The House proceeded to consider the unfinished business of yesterday, which was depending and undetermined at the time of adjournment.

A motion was made by Mr. Upham, and seconded, to amend the resolution reported by the select committee, and to which the Committee of the Whole House reported their agreement, by striking out the following words: "if it shall appear to his satisfaction, that they were involuntarily drawn into the unlawful enterprise in which they were engaged."

And after debate thereon,

The question was taken,

And determined in the negative.

The question then recurred upon concurring with the Committee of the Whole House in their agreement to the said resolution as before recited:

And the same being put,

There appeared { Yeas ..... 62,  
                              { Nays ..... 61.

And Mr. Speaker declaring himself with the nays, the House was equally divided, and the question lost.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

Ezekiel Bacon,  
William Baylies,  
William W. Bibb,  
Daniel Blaisdell,  
James Breckenridge,  
John Brown,  
John Campbell,  
John C. Chamberlain,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Orchard Cook,  
John Davenport, jun.  
John Dawson,  
William Ely,  
James Emott,  
Jonathan Fisk,  
Gideon Gardner,  
Charles Goldsborough,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Daniel Heister,  
James Holland,  
Jonathan H. Hubbard,  
Richard Jackson, jun.  
Robert Jenkins,  
Herman Knickerbacker,  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Vincent Matthews,

Archibald McBryde,  
Alexander McKim,  
Pleasant M. Miller,  
William Milnor,  
John Montgomery,  
Jonathan O. Mosely,  
Gurdon S. Mumford,  
John Nicholson,  
Joseph Pearson,  
Timothy Pitkin, jun.  
Peter B. Porter,  
Elisha R. Potter,  
Josiah Quincy,  
John Ross,  
Ebenezer Sage,  
Benjamin Say,  
Daniel Sheffey,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Samuel Taggart,  
Benjamin Tallmadge,  
John Thompson,  
Uri Tracy,  
Jabez Upham,  
Nicholas Van Dyke,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman,  
James Wilson.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
David Bard,  
Burwell Bassett,  
Adam Boyd,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
Matthew Clay,

Howell Cobb,  
James Cochran,  
William Crawford,  
Joseph Desha,  
John W. Eppes,  
William Findley,  
Meshack Franklin,  
Barzillai Gannett,  
Thomas Gholson, jun.  
Peterson Goodwyn,  
William Helms,

Benjamin Howard,  
 Jacob Hufty,  
 John G. Jackson,  
 Richard M. Johnson,  
 Walter Jones,  
 Thomas Kenan,  
 William Kennedy,  
 Aaron Lyle,  
 Nathaniel Macon,  
 Robert Marion,  
 Samuel McKee,  
 Nicholas R. Moore,  
 Thomas Moore,  
 Jeremiah Morrow,  
 Roger Nelson,  
 Thomas Newton,  
 John Porter,  
 John Randolph,  
 John Rea, *of Pennsylvania*,  
 John Rhea, *of Tennessee*,

Matthias Richarda,  
 John Roane,  
 Erastus Root,  
 Thomas Sammons,  
 Lemuel Sawyer,  
 Ebenezer Seaver,  
 Samuel Shaw,  
 John Smilie,  
 George Smith,  
 John Smith,  
 Samuel Smith,  
 Henry Southard,  
 Richard Stanford,  
 Jacob Swoope,  
 John Taylor,  
 Robert Weakley,  
 Robert Whitehill,  
 Richard Winn,  
 Robert Witherspoon.

The several orders of the day were farther postponed until to-morrow.  
 And then the House adjourned until to-morrow morning eleven o'clock.

#### THURSDAY, JUNE 15, 1809.

Mr. Gholson, from the Joint Committee for Enrolled Bills, reported that the committee did, this day, present to the President of the United States, for his approbation, the following enrolled bills, to wit :

“An act supplementary to an act, entitled ‘An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians,’ and to establish a land office in the Mississippi Territory ;”

“An act authorizing the appointment of an Agent for the Land Office at Kaskaskia, and allowing compensation to the Commissioners and Clerk ;”

“An act to continue in force ‘An act declaring the assent of Congress to a certain act of the State of South Carolina, passed the twenty-first of December, one thousand eight hundred and four.’”

On motion of Mr. Rhea, of Tennessee,

*Ordered*, That the several resolutions and petitions, from the farther consideration of which the Committee on Post Offices and Post Roads were yesterday discharged, be referred to the Committee of the Whole House to whom is committed the bill to alter and establish certain post roads.

Mr. Love presented a petition of John Brent, late Collector of the Customs at Nanjemoy, and John Randall, now Collector of the Customs at Annapolis, State of Maryland, stating, that, in the year one thousand eight hundred and six, they seized and took possession of two vessels, one in each of their said ports, for a violation of the acts of Congress suspending commercial intercourse with the Island of Saint Domingo, which said vessels were libelled, and condemned as forfeited, and judgments obtained in the District and Circuit Courts for the District of Maryland, which judgments were reversed, upon the appeal of the adverse parties, by the Supreme Court of the United States, on the ground of the said acts being no longer in force, and praying that the necessary inquiry may be made in the premises, and such relief afforded them as may seem just and proper.

Mr. Southard presented a memorial of the manufacturers of hats in the counties of Essex, Middlesex, and Somerset, in the State of New Jersey, whose names are thereunto subscribed, to the same effect with a memorial of the manufacturers of hats in Fredericktown, State of Maryland, presented the twenty-fifth ultimo.

Mr. Richard Jackson presented a memorial to the like effect, from the Providence Hat Manufacturing Company.

Mr. Bacon presented a petition of sundry woollen manufacturers in Berkshire county, State of Massachusetts, whose names are thereunto subscribed, praying that such measures may be adopted by Congress, as will afford protection and encouragement to the manufactories in which they have engaged.

The said petitions and memorials were read, and severally referred to the Committee of Commerce and Manufactures.

On motion of Mr. Whitman,

*Ordered*, That the petition of William Hawkins, of Portland, in the District of Maine, presented the twenty-first of February last, be referred to the same committee.

Mr. Ross presented a memorial of Philip Weeks, and his wife Amelia Weeks, of Luzerne county, in the State of Pennsylvania, praying to be allowed the half pay to which Robert Durkee, the father of the said Amelia, would have been entitled as a captain in the Connecticut line of the Continental army, during the Revolutionary war with Great Britain, and who was killed in the said war.

Mr. Mosely presented a petition of Alexander Phelps, of the State of Connecticut, praying an increase of the pension heretofore allowed him in consideration of wounds received in the Revolutionary war with Great Britain.

Mr. Whitman presented a petition of William Whitmore, of the State of Massachusetts, praying to be placed on the pension list of the United States, in consequence of personal injuries sustained in the Revolutionary war with Great Britain.

The said memorial and petitions were read, and severally referred to the Committee of Claims.

*Ordered*, That Mr. Seaver have leave to be absent from the service of this House, from Monday next, for the remainder of the session, and Mr. Key, from the same day, for one week.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker* : The Senate have passed the bill, entitled "An act authorizing the discharge of John Heard from his imprisonment." And then he withdrew.

A message was received from the President of the United States, by Mr. Graham, notifying that the President did, this day, approve and sign the following acts, which originated in this House, to wit :

"An act supplementary to an act, entitled 'An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians, and to establish a land office in the Mississippi Territory ;'"

"An act to continue in force 'An act declaring the assent of Congress to a certain act of the State of South Carolina, passed the twenty-first of December, one thousand eight hundred and four ;'" and

"An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk."

The House, according to the order of the day, again resolved itself into a Committee of the Whole House on the bill supplementary to the act, entitled "An act making further provision for the support of public credit, and for the redemption of the public debt ;" and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Pitkin reported that the committee had, according to order, had the said bill under consideration and made some progress therein.

An adjournment was then called for : When

The several orders of the day were farther postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

#### FRIDAY, JUNE 16, 1809.

Mr. Lewis presented a petition of sundry inhabitants of Washington county, in the District of Columbia, and of Prince George's county, in the State of Maryland, whose names are thereunto subscribed, praying that an act may pass declaring a road leading from the lower Eastern Branch bridge, in the District of Columbia, to the line of the said District, a public highway, on such terms as Congress may think proper.

The said petition was read, and referred to the Committee for the District of Columbia.

On motion of Mr. Macon,

*Ordered*, That the committee to whom was referred, on the twelfth instant, the report of the Attorney General of the United States on the petition of Edward Livingston, and the petitions of sundry inhabitants of the city and Territory of Orleans, in relation to the conflicting claims to the Batture adjoining to the city of Orleans, be discharged from the farther consideration of the said report.

On motion of Mr. Macon, and seconded, that the House do come to the following resolution :

*Resolved*, That so much of the message of the President of the United States, of the seventh of March, one thousand eight hundred and eight, as relates to the Batture in the suburbs of St. Mary's, adjoining New Orleans, and the documents which accompanied it, together with the petitions of Edward Livingston, and the petitions of the citizens of New Orleans on the same subject, and the documents which accompanied the same, be referred to the Attorney General of the United States, and that he be instruct-

ed to receive and collect such other testimony as may be necessary to ascertain the title of the United States to the before mentioned Batture, and that he be directed to report to this House, at the next session of Congress, his opinion as to the validity of the claim of the United States to the said Batture.

*Ordered*, That the said resolution do lie on the table.

Mr. Johnson, from the Committee of Claims, to whom was recommitted, on the ninth instant, their report on the petition of Hannah Foster, reported a detailed statement of facts in relation to the merits of the claim of the petitioner; which was read, and ordered to lie on the table.

*Ordered*, That Mr. Potter have leave to be absent from the service of this House, from Monday next, for the remainder of the session.

The House proceeded to consider the unfinished business of yesterday. The question depending at the time of adjournment was again stated, to wit: "Shall the Committee of the Whole House have leave to sit again on the bill supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt?'"

And the same being taken,

It was resolved in the affirmative.

The House, accordingly, resolved itself into a Committee of the Whole House on the said bill; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Pitkin reported that the committee had, according to order, had the same under consideration, and made no amendment thereto.

A motion was made by Mr. Randolph, and seconded, that the House do come to the following resolution :

*Resolved*, That, during the discussion of the bill supplementary to the act, entitled "An act making further provision for the support of public credit, and for the reduction of the public debt," the Secretary of the Treasury be required to give information, touching the same, to this House, in person :

And on the question that the House do proceed to the consideration of the said resolution,

It was resolved in the affirmative, { Yeas ..... 61,  
 { Nays ..... 59.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

William Baylies,  
Burwell Bassett,  
William W. Bibb,  
Daniel Blaisdell,  
James Breckenridge,  
William A. Burwell,  
John Campbell,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Matthew Clay,  
Howell Cobb,  
Samuel W. Dana,  
John Davenport, jun.  
John Dawson,  
William Ely,  
James Emott,  
Meshack Franklin,  
Thomas R. Gold,  
Richard Jackson,  
Walter Jones,  
Herman Knickerbacker,  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Nathaniel Macon,  
Robert Marion,  
Vincent Matthews,  
Samuel M'Kee,  
Jonathan O. Mosely,  
Gurdon S. Mumford,  
Thomas Newton,

John Nicholson,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
Elisha R. Potter,  
Josiah Quincy,  
John Randolph,  
John Rea, *of Pennsylvania*,  
John Roane,  
Thomas Sammons,  
Daniel Sheffey,  
John Smith,  
Samuel Smith,  
Richard Stanford,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Benjamin Tallmadge,  
John Thompson,  
George M. Troup,  
Jabez Upham,  
Nicholas Van Dyke,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Robert Weakley,  
Laban Weaton,  
Ezekiel Whitman,  
Robert Witherspoon.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
David Bard,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William Butler,  
Joseph Calhoun,  
James Cochran,  
Orchard Cook,  
James Cox,  
William Crawford,  
Henry Crist,  
Richard Cutts,  
Joseph Desha,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
Peterson Goodwyn,  
Daniel Heister,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,

Robert Jenkins,  
Richard M. Johnson,  
Thomas Kenan,  
William Kennedy,  
John Love,  
Aaron Lyle,  
Alexander M'Kim,  
Pleasant M. Miller,  
William Milnor,  
Nicholas R. Moore,  
Jeremiah Morrow,  
Wilson C. Nicholas,  
John Porter,  
John Rhea, *of Tennessee*,  
Matthias Richards,  
Erastus Root,  
John Ross,  
Ebenezer Sage,  
Lemuel Sawyer,  
Benjamin Say,  
Ebenezer Seaver,  
Samuel Shaw,  
John Smilie,  
George Smith,  
Henry Southard,  
John Taylor,  
Uri Tracy,  
Robert Whitehill,  
Richard Winn.

The question was then taken to agree to the said resolution,

And determined in the negative, { Yeas ..... 41,  
  { Nays ..... 83.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

William Baylies,  
Daniel Blaisdell,  
James Breckenridge,  
John Campbell,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Matthew Clay,  
Howell Cobb,  
Samuel W. Dana,  
John Davenport, junior,  
William Ely,  
James Emott,  
Charles Goldsborough,  
Thomas R. Gold,  
William Hale,  
Jonathan H. Hubbard,  
Richard Jackson,  
Herman Knickerbacker,  
Joseph Lewis, junior,  
Edward St. Loe Livermore,

Robert Le Roy Livingston,  
Matthew Lyon,  
Vincent Matthews,  
Archibald M'Bryde,  
Samuel M'Kee,  
Jonathan O. Mosely,  
John Nicholson,  
Joseph Pearson,  
Benjamin Pickman, junior,  
Elisha R. Potter,  
John Randolph,  
Thomas Sammons,  
Samuel Smith,  
John Stanley,  
James Stephenson,  
Jacob Swoope,  
Benjamin Tallmadge,  
Jabez Upham,  
Nicholas Van Dyke,  
Killian K. Van Rensselaer.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,

David Bard,  
Burwell Bassett,  
William W. Bibb,  
Adam Boyd,

John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
James Cochran,  
James Cox,  
William Crawford,  
Henry Crist,  
Richard Cutts,  
John Dawson,  
Joseph Desha,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, junior,  
Peterson Goodwyn,  
Daniel Heister,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,  
Robert Jenkins,  
Richard M. Johnson,  
Walter Jones,  
Thomas Kenan,  
William Kennedy,  
John Love,  
Aaron Lyle,  
Nathaniel Macon,  
Robert Marion,  
Alexander M'Kim,  
Pleasant M. Miller,  
William Milnor,

Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
Gurdon S. Mumford,  
Thomas Newton,  
Wilson C. Nicholas,  
Timothy Pitkin, junior,  
John Porter,  
Josiah Quincy,  
John Rea, of *Pennsylvania*,  
John Rhea, of *Tennessee*,  
Matthias Richards,  
John Roane,  
Erastus Root,  
John Ross,  
Ebenezer Sage,  
Lemuel Sawyer,  
Benjamin Say,  
Ebenezer Seaver,  
Samuel Shaw,  
Daniel Sheffey,  
John Smilie,  
George Smith,  
John Smith,  
Henry Southard,  
Richard Stanford,  
Samuel Taggart,  
John Taylor,  
John Thompson,  
Uri Tracy,  
George M. Troup,  
Archibald Van Horn,  
Robert Weakley,  
Laban Wheaton,  
Robert Whitehill,  
Richard Winn,  
Robert Witherspoon.

The House then proceeded to consider the said bill at the Clerk's table.

A motion was made by Mr. Dana, and seconded, that the same do lie on the table :

And the question being taken thereupon,

It was determined in the negative.

A motion was then made by Mr. Dana, and seconded, to amend the said bill, by inserting after the words, "according to law" the following : "whenever the product of the duties on imports and tonnage, with other moneys appropriated to the sinking fund, after reserving the yearly sum of six hundred thousand dollars, as by law provided, towards the support of Government, shall be insufficient to satisfy and discharge the sum of eight millions of dollars annually, as appropriated and vested by law in the Commissioners of the said fund :"

And after debate thereon,

A motion was made by Mr. John G. Jackson, and seconded, that the same do lie on the table :

And the question being taken thereupon,

It was again determined in the negative.

An adjournment was then called for : When

The several orders of the day were farther postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

SATURDAY, JUNE 17, 1809.

Mr. Mosely, from the committee to whom was referred, on the second instant, the petition of Daniel Pettibone, made a report thereon ; which was read, and referred to a Committee of the Whole House on Monday next.

David Bard,  
Burwell Bassett,  
Adam Boyd,



Samuel W. Dana,  
 John Davenport, jun.  
 Joseph Desha,  
 William Ely,  
 James Emott,  
 John W. Eppes,  
 William Findley,  
 Meshack Franklin,  
 Thomas Gholson, jun.  
 Thomas R. Gold,  
 William Hale,  
 Nathaniel A. Haven,  
 Daniel Heister,  
 Richard Jackson,  
 William Kennedy,  
 Herman Knickerbacker,  
 Joseph Lewis, jun.  
 Edward St. Loe Livermore,  
 Robert Le Roy Livingston,  
 Matthew Lyon,  
 Nathaniel Macon,  
 Robert Marion,  
 Vincent Matthews,  
 Pleasant M. Miller,  
 William Milnor,  
 Thomas Moore,  
 Jonathan O. Mosely,  
 Gurdon S. Mumford,

Thomas Newton,  
 Joseph Pearson,  
 Timothy Pitkin, jun.  
 John Porter,  
 Peter B. Porter,  
 Elisha R. Potter,  
 Josiah Quincy,  
 John Randolph,  
 Matthias Richards,  
 Thomas Sammons,  
 Daniel Sheffey,  
 John Smith,  
 Samuel Smith,  
 Richard Stanford,  
 William Stedman,  
 James Stephenson,  
 Lewis B. Sturges,  
 Jacob Swoope,  
 Samuel Taggart,  
 Benjamin Tallmadge,  
 John Thompson,  
 Jabez Upham,  
 Nicholas Van Dyke,  
 Archibald Van Horn,  
 Killian K. Van Rensselaer,  
 Laban Wheaton,  
 Ezekiel Whitman.

Those who voted in the negative, are,

Lemuel J. Alston,  
 Willis Alston, jun.  
 William Anderson,  
 Adam Boyd,  
 John Brown,  
 Robert Brown,  
 William Butler,  
 Joseph Calhoun,  
 James Cox,  
 William Crawford,  
 Richard Cutts,  
 John Dawson,  
 Jonathan Fisk,  
 Barzillai Gannett,  
 Gideon Gardner,  
 Peterson Goodwyn,  
 Williams Helms,  
 James Holland,  
 Jacob Hufty,  
 Richard M. Johnson,  
 Thomas Kenan,  
 John Love,  
 Aaron Lyle,

Samuel M'Kee,  
 Alexander M'Kim,  
 John Montgomery,  
 Nicholas R. Moore,  
 Jeremiah Morrow,  
 John Rea, *of Pennsylvania*,  
 John Rhea, *of Tennessee*,  
 John Roane,  
 Erastus Root,  
 John Ross,  
 Ebenezer Sage,  
 Lemuel Sawyer,  
 Benjamin Say,  
 Ebenezer Seaver,  
 John Smilie,  
 George Smith,  
 Henry Southard,  
 John Taylor,  
 George M. Troup,  
 Robert Weakley,  
 Robert Whitehill,  
 Robert Witherspoon.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker* : I am directed to inform this House that the President of the United States has approved and signed an act, which originated in the Senate, entitled "An act making appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the Northern and Western frontiers of the United States." The Senate have passed a bill, entitled "An act to change the post route from Annapolis to Rockhall, by Baltimore to Rockhall;" to which they desire the concurrence of this House. And then he withdrew.

The House resumed the consideration of the unfinished business of yesterday.

The question on the motion of Mr. Dana, to amend the said bill, by inserting after the

words, "according to law," the words, "*whenever the product of the duties on imports and tonnage, with other moneys appropriated to the sinking fund, after reserving the yearly sum of six hundred thousand dollars, as by law provided towards the support of Government, shall be insufficient to satisfy and discharge the sum of eight millions of dollars annually, as appropriated and vested by law in the Commissioners of said fund,*" which was depending and undetermined at the time of adjournment, being again stated:

A motion was made by Mr. Randolph, and seconded, that the said bill and amendment be postponed *indefinitely* :

And the question being taken thereupon,

It was determined in the negative, { Yeas ..... 52,  
  { Nays ..... 75.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

William Baylies,  
Daniel Blaisdell,  
James Breckenridge,  
John Campbell,  
John C. Chamberlain,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Matthew Clay,  
Howell Cobb,  
Samuel W. Dana,  
John Davenport, junior,  
William Ely,  
James Emott,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Jonathan H. Hubbard,  
Richard Jackson, junior,  
Robert Jenkins,  
Joseph Lewis, junior,  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Matthew Lyon,  
Nathaniel Macon,  
Vincent Matthews,

Archibald M'Bryde,  
Thomas Moore,  
Jonathan O. Mosely,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
Elisha R. Potter,  
Josiah Quincy,  
John Randolph,  
Thomas Sammons,  
Samuel Shaw,  
Samuel Smith,  
Richard Stanford,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Benjamin Tallmadge,  
Jabez Upham,  
Nicholas Van Dyke,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman,  
James Wilson.

'Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, junior,  
William Anderson,  
Ezekiel Bacon,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
James Cochran,  
Orchard Cook,  
James Cox,  
William Crawford,  
Richard Cutts,  
John Dawson,  
John W. Eppes,  
William Findley,

Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, junior,  
Peterson Goodwyn,  
Daniel Heister,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,  
Richard M. Johnson,  
Thomas Kenan,  
William Kennedy,  
John Love,  
Aaron Lyle,  
Robert Marion,  
Samuel M'Kee,  
Alexander M'Kim,  
Pleasant M. Miller,

William Milnor,  
 John Montgomery,  
 Nicholas R. Moore,  
 Jeremiah Morrow,  
 Gurdon S. Mumford,  
 Thomas Newton,  
 Wilson C. Nicholas,  
 John Nicholson,  
 John Porter,  
 Peter B. Porter,  
 John Rea, *of Pennsylvania*,  
 John Rhea, *of Tennessee*,  
 Matthias Richards,  
 John Roane,  
 Erastus Root,  
 John Ross,  
 Ebenezer Sage,

Lemuel Sawyer,  
 Benjamin Say,  
 Ebenezer Seaver,  
 Daniel Sheffey,  
 John Smilie,  
 George Smith,  
 John Smith,  
 Henry Southard,  
 John Taylor,  
 John Thompson,  
 Uri Tracy,  
 Archibald Van Horn,  
 Robert Weakley,  
 Robert Whitehill,  
 Richard Winn,  
 Robert Witherspoon.

The question then recurred upon agreeing to the said amendment, as before recited;  
 And the same being taken,

It was determined in the negative, { Yeas ..... 45,  
 { Nays ..... 77.

The yeas and yeas being demanded by one-fifth of the members present,  
 Those who voted in the affirmative, are,

William Baylies,  
 Daniel Blaisdell,  
 James Breckenridge,  
 John Campbell,  
 John C. Chamberlain,  
 William Chamberlin,  
 Epaphroditus Champion,  
 Martin Chittenden,  
 Matthew Clay,  
 Samuel W. Dana,  
 John Davenport, junior,  
 William Ely,  
 James Emott,  
 Thomas R. Gold,  
 William Hale,  
 Nathaniel A. Haven,  
 Daniel Heister,  
 Jonathan H. Hubbard,  
 Joseph Lewis, junior,  
 Edward St. Loë Livermore,  
 Robert Le Roy Livingston,  
 Matthew Lyon,  
 Nathaniel Macon,

Vincent Matthews,  
 Archibald M'Bryde,  
 Jonathan O. Moseley,  
 Joseph Pearson,  
 Benjamin Pickman, jun.  
 Timothy Pitkin, jun.  
 Elisha R. Potter,  
 Josiah Quincy,  
 Thomas Sammons,  
 John Stanley,  
 William Stedman,  
 James Stephenson,  
 Lewis B. Sturges,  
 Jacob Swoope,  
 Samuel Taggart,  
 Benjamin Tallmadge,  
 Jabez Upham,  
 Nicholas Van Dyke,  
 Killian K. Van Rensselaer,  
 Laban Wheaton,  
 Ezekiel Whitman,  
 James Wilson.

Those who voted in the negative, are,

Lemuel J. Alston,  
 Willis Alston, junior,  
 William Anderson,  
 Ezekiel Bacon,  
 David Bard,  
 Burwell Bassett,  
 William W. Bibb,  
 Adam Boyd,  
 John Brown,  
 Robert Brown,  
 William A. Burwell,  
 William Butler,  
 Joseph Calhoun,  
 James Cochran,  
 Orchard Cook,

James Cox,  
 William Crawford,  
 Richard Cutts,  
 John Dawson,  
 John W. Eppes,  
 William Findley,  
 Jonathan Fisk,  
 Meshack Franklin,  
 Barzillai Garnett,  
 Gideon Gardner,  
 Thomas Gholson, junior,  
 Peterson Goodwyn,  
 William Helms,  
 James Holland,  
 Benjamin Howard,

Jacob Hufty,  
 John G. Jackson,  
 Richard M. Johnson,  
 Thomas Kenan,  
 William Kennedy,  
 John Love,  
 Aaron Lyle,  
 Robert Marion,  
 Samuel M'Kee,  
 Alexander M'Kim,  
 Pleasant M. Miller,  
 William Milnor,  
 John Montgomery,  
 Nicholas R. Moore,  
 Thomas Moore,  
 Jeremiah Morrow,  
 Gurdon S. Mumford,  
 Thomas Newton,  
 Wilson C. Nicholas,  
 John Nicholson,  
 John Porter,  
 Peter B. Porter,  
 John Rea, *of Pennsylvania*,  
 John Rhea, *of Tennessee*,

Matthias Richards,  
 John Roane,  
 Erastus Root,  
 John Ross,  
 Ebenezer Sage,  
 Lemuel Sawyer,  
 Benjamin Say,  
 Ebenezer Seaver,  
 Daniel Sheffey,  
 John Smilie,  
 George Smith,  
 John Smith,  
 Samuel Smith,  
 Henry Southard,  
 Richard Stanford,  
 John Taylor,  
 John Thompson,  
 Uri Tracy,  
 Archibald Van Horn,  
 Robert Weakley,  
 Robert Whitehill,  
 Richard Winn,  
 Robert Witherspoon.

Another motion was made by Mr. Dana, and seconded, to amend the said bill, by adding to the end thereof, the following proviso: "*Provided*, That no money shall be borrowed in virtue of this act until after at least ——— months previous public notice of such intended loan."

And the question being taken thereupon,

It was determined the negative, { Yeas . . . . . 47,  
 { Nays . . . . . 74.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

William Baylies,  
 William W. Bibb,  
 Daniel Blaisdell,  
 James Breckenridge,  
 William A. Burwell,  
 John Campbell,  
 John C. Chamberlain,  
 William Chamberlin,  
 Epaphroditus Champion,  
 Martin Chittenden,  
 Howell Cobb,  
 Samuel W. Dana,  
 John Davenport, junior,  
 William Ely,  
 James Emott,  
 Thomas R. Gold,  
 William Hale,  
 Nathaniel A. Haven,  
 Jonathan H. Hubbard,  
 Robert Jenkins,  
 Joseph Lewis, junior,  
 Edward St. Loe Livermore,  
 Robert Le Roy Livingston,  
 Matthew Lyon,

Nathaniel Macon,  
 Vincent Matthews,  
 Archibald M'Bryde,  
 Jonathan O. Mosely,  
 Joseph Pearson,  
 Benjamin Pickman, jun.  
 Timothy Pitkin, jun.  
 Elisha R. Potter,  
 Josiah Quincy,  
 Samuel Smith,  
 John Stanley,  
 William Stedman,  
 James Stephenson,  
 Lewis B. Sturges,  
 Jacob Swoope,  
 Samuel Taggart,  
 Benjamin Tallmadge,  
 Jabez Upham,  
 Nicholas Van Dyke,  
 Archibald Van Horn,  
 Killian K. Van Rensselaer,  
 Ezekiel Whitman,  
 James Wilson.

Those who voted in the negative, are,

Lemuel J. Alston,  
 Willis Alston, jun.  
 William Anderson,  
 Ezekiel Bacon,

David Bard,  
 Burwell Bassett,  
 Adam Boyd,  
 John Brown,

Robert Brown,  
 William Butler,  
 Joseph Calhoun,  
 Matthew Clay,  
 James Cochran,  
 Orchard Cook,  
 James Cox,  
 William Crawford,  
 Richard Cutts,  
 John Dawson,  
 John W. Eppes,  
 William Findley,  
 Jonathan Fisk,  
 Meshack Franklin,  
 Barzillai Gannett,  
 Gideon Gardner,  
 Thomas Gholson, jun.  
 Peterson Goodwyn,  
 Daniel Heister,  
 William Helms,  
 James Holland,  
 Benjamin Howard,  
 Jacob Hufty,  
 John G. Jackson,  
 Richard M. Johnson,  
 Thomas Kenan,  
 William Kennedy,  
 John Love,  
 Aaron Lyle,  
 Robert Marion,  
 Samuel McKee,  
 Alexander McKim,  
 Pleasant M. Miller,

William Milnor,  
 John Montgomery,  
 Nicholas R. Moore,  
 Thomas Moore,  
 Jeremiah Morrow,  
 Gurdon S. Mumford,  
 Thomas Newton,  
 Wilson C. Nicholas,  
 John Nicholson,  
 John Porter,  
 John Rea, *of Pennsylvania*,  
 John Rhea, *of Tennessee*,  
 Matthias Richards,  
 John Roane,  
 Erastus Root,  
 John Ross,  
 Ebenezer Sage,  
 Thomas Sammons,  
 Lemuel Sawyer,  
 Benjamin Say,  
 Ebenezer Seaver,  
 Daniel Sheffey,  
 John Smilie,  
 George Smith,  
 John Smith,  
 Henry Southard,  
 Richard Stanford,  
 John Taylor,  
 Uri Tracy,  
 Robert Weakley,  
 Robert Whitehill,  
 Richard Winn,  
 Robert Witherspoon.

*Ordered*, That the said bill be engrossed, and read the third time on Monday next.

Mr. Johnson, from the Committee of Claims, to whom was referred, on the thirty-first ultimo, the petition of John Murray, made a report thereon ; which was ordered to lie on the table.

The Speaker laid before the House a letter from the Secretary of War, transmitting his report made in obedience to the act passed the twenty-first of April, one thousand eight hundred and eight, entitled "An act concerning public contracts ;" which were read, and ordered to lie on the table.

The several orders of the day were farther postponed until Monday next.

And then the House adjourned until Monday morning eleven o'clock.

### MONDAY, JUNE 19, 1809.

On a motion made, and leave given by the House, Mr. Peter B. Porter, from the committee appointed on the memorial of Joseph Wilkinson, junior, presented, according to order, a bill authorizing the discharge of Joseph Wilkinson, junior, from his imprisonment; which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House to-morrow.

Mr. Porter, from the same committee, also presented a detailed report ; which was read, and referred to the same Committee of the Whole House.

*Ordered*, That Mr. Pitckman have leave to be absent from the service of this House, from Friday, and Mr. Breckenridge, from this day, for the remainder of the session.

On motion of Mr. Gold, and seconded,

*Resolved*, That a committee be appointed to inquire into the expediency of providing by law for ascertaining and settling the controverted boundary of the public land at West Point, in the State of New York; and that they have leave to report by bill, or otherwise.

*Ordered*, That Mr. Gold, Mr. Goodwyn, Mr. Van Dyke, Mr. Shaw, and Mr. Crawford, be appointed a committee, pursuant to the said resolution.

Mr. Pickman presented a petition of David Pearce, of Gloucester, in the State of Massachusetts, praying compensation for clothing furnished the Army, during the Revolutionary war with Great Britain.

The said petition was read, and referred to the Committee of Claims.

The bill sent from the Senate, entitled "An act to change the post route from Annapolis to Rockhall, by Baltimore to Rockhall," was read the first time.

On motion,

The said bill was read the second time, and ordered to be read the third time this day.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker :* The Senate have passed a bill, entitled "An act to amend and continue in force an act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes ;'" to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the resolution submitted by Mr. Macon, on the sixteenth instant, and the same being again read in the words following, to wit :

*Resolved,* That so much of the message of the President of the United States of the seventh of March, one thousand eight hundred and eight, as relates to the batture in the suburbs of St. Mary's, adjoining New Orleans, and the documents accompanying it, together with the petitions of Edward Livingston, and the petitions of the citizens of New Orleans on the same subject, and the documents which accompanied the same, be referred to the Attorney General of the United States, and that he be instructed to receive and collect such other testimony as may be necessary to ascertain the title of the United States to the beforementioned batture, and that he be directed to report to this House, at the next session of Congress, his opinion as to the validity of the claim of the United States to the said batture.

The question was then stated from the chair that the House do agree to the said re-cited resolution :

And after debate thereon, the said question was taken,

And determined in the negative.

The bill sent from the Senate, entitled "An act to amend and continue in force an act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,'" was read the first time.

On motion,

The said bill was read the second time, and committed to the Committee of the Whole House to whom is committed the bill of this House to amend and continue in force an act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."

The several orders of the day were farther postponed until to-morrow.

And then the House adjourned until to-morrow morning eleven o'clock.

## TUESDAY, JUNE 20, 1809.

On motion of Mr. Randolph, and seconded,

*Resolved,* That a committee be appointed, jointly, with a committee to be appointed on the part of the Senate, to have the direction of the money appropriated to purchase books for the use of Congress, pursuant to the "Act making a further appropriation for the support of a Library," passed on the twenty-first of February, one thousand eight hundred and six.

*Ordered,* That Mr. Nicholas, Mr. Dana, and Mr. Say, be appointed a committee, pursuant to the said resolution, on the part of this House.

*Ordered,* That the Clerk of this House do carry this resolution to the Senate, and desire their concurrence.

A motion was made by Mr. Bibb, and seconded, that the House do come to the following resolution :

*Resolved,* That it is expedient to vest in the corporation of New Orleans whatever right, title, or claim, the United States possess to the Batture, situate in front of the suburb of St. Mary, and adjoining the city of Orleans.

The said resolution was read, and permitted to lie on the table.

On motion of Mr. Macon, and seconded,

*Resolved,* That the Committee of Commerce and Manufactures be instructed to in-

James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,  
Richard M. Johnson,  
William Kennedy,  
John Love,  
Aaron Lyle,  
Robert Marion,  
Samuel M'Kee,  
Alexander M'Kim,  
Pleasant M. Miller,  
William Milnor,  
John Montgomery,  
Nicholas R. Moore,  
Jeremiah Morrow,  
Gurdon S. Mumford,  
Roger Nelson,  
Thomas Newton,  
Wilson C. Nicholas,  
John Nicholson,  
John Porter,  
Peter B. Porter,  
John Rea, *of Pennsylvania*,  
John Rhea, *of Tennessee*,  
Matthias Richards,  
John Roane,  
Erastus Root,  
John Ross,  
Ebenezer Sage,

**Lemuel Sawyer,  
Benjamin Say,  
Daniel Sheffey,  
John Smilie,  
George Smith,  
Henry Southard,  
John Taylor,**

**John Thompson,  
Uri Tracy,  
George M. Troup,  
Archibald Van Horn,  
Robert Weakley,  
Robert Whitehill,  
Robert Witherspoon.**

Those who voted in the negative, are,

William Baylies,  
Daniel Blaisdell,  
John Campbell,  
John C. Chamberlain,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Matthew Clay,  
Howell Cobb,  
Samuel W. Dana,  
John Davenport, jr.  
William Ely,  
James Emott,  
Charles Goldsborough,  
Thomas R. Gold,  
Edwin Gray,  
William Hale,  
Nathaniel A. Haven,  
Jonathan H. Hubbard,  
Richard Jackson,  
Robert Jenkins,  
Herman Knickerbacker,  
Joseph Lewis, jr.  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Matthew Lyon,

Nathaniel Macon,  
Vincent Matthews,  
Archibald M'Bryde,  
Jonathan O. Moseley,  
Joseph Pearson,  
Benjamin Pickman, jr.  
Timothy Pitkin, jr.  
Josiah Quincy,  
John Randolph,  
Thomas Sammons,  
Samuel Smith,  
Richard Stanford,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Benjamin Tallmadge,  
Jabez Upham,  
Nicholas Van Dyke,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman,  
James Wilson.

The title of the said bill was then read : When

A motion was made by Mr. Dana, and seconded, to amend the same, by adding to the end thereof the following words: "and thereby to make provision for borrowing money:"

And the question being taken upon the said amendment,

It was determined in the negative, { Yeas ..... 37,  
Nays ..... 83.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

William Baylies,  
Daniel Blaisdell,  
John Campbell,  
John C. Chamberlain,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Samuel W. Dana,  
John Davenport, jr.  
William Ely,  
James Emott,  
Charles Goldsborough,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Jonathan H. Hubbard,  
Richard Jackson,  
Herman Knickerbacker,  
Joseph Lewis, jr.

Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Matthew Lyon,  
Archibald M'Bryde,  
Jonathan O. Moseley,  
Joseph Pearson,  
Timothy Pitkin, jr.  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Benjamin Tallmadge,  
Jabez Upham,  
Nicholas Van Dyke,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
James Wilson.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William A. Burwell.  
William Butler,  
Joseph Calhoun,  
Matthew Clay,  
Howell Cobb,  
James Cochran,  
Orchard Cook,  
James Cox,  
William Crawford,  
Henry Crist,  
Richard Cutts,  
Joseph Desha,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
Peterson Goodwyn,  
Daniel Heister,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,  
Richard M. Johnson,  
Walter Jones,  
William Kennedy,  
John Love,  
Aaron Lyle,  
Nathaniel Macon,  
Robert Marion,

Samuel M'Kee,  
Alexander M'Kim,  
Pleasant M. Miller,  
William Milnor,  
John Montgomery,  
Nicholas R. Moore,  
Jeremiah Morrow,  
Gurdon S. Mumford,  
Roger Nelson,  
Thomas Newton,  
Wilson C. Nicholas,  
John Nicholson,  
John Porter,  
Peter B. Porter,  
John Rea, of *Pennsylvania*,  
John Rhea, of *Tennessee*,  
Matthias Richards,  
John Roane,  
Erastus Root,  
John Ross,  
Ebenezer Sage,  
Thomas Sammons,  
Lemuel Sawyer,  
Benjamin Say,  
Daniel Sheffey,  
John Smilie,  
George Smith,  
John Smith,  
Samuel Smith,  
Henry Southard,  
Richard Stanford,  
John Taylor,  
John Thompson,  
Uri Tracy,  
George M. Troup,  
Archibald Van Horn,  
Robert Weakley,  
Robert Whitehill,  
Ezekiel Whitman,  
Richard Winn,  
Robert Witherspoon.

*Resolved*, That the title be, "An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt.'"

*Ordered*, That the Clerk of this House do carry the said bill to the Senate, and desire their concurrence.

The bill sent from the Senate, entitled "An act to change the post route from Annapolis to Rockhall, by Baltimore to Rockhall," was read the third time.

On motion of Mr. Stanford, and seconded,

*Ordered*, That the farther consideration of the said bill be *postponed indefinitely*.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The House, according to the order of the day, resolved into a Committee of the Whole House on the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," to which Committee of the Whole House was committed the bill sent from the Senate, entitled "An act to amend and continue in force the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;'" and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bassett reported that the committee had, according to order, had the said bills under consideration, and made some progress therein.

*Resolved*, That this House will, to-morrow, again resolve itself into a Committee of the Whole House on the said bills.

Mr. Baylies presented to the House sundry documents in relation to his contested election ; which were ordered to be referred to the Committee of Elections.

The several orders of the day were farther postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

### WEDNESDAY, JUNE 21, 1809.

Mr. Newton, from the Committee of Commerce and Manufactures, to whom were referred so much of the message from the President of the United States as relates to a revision of our commercial laws, for the purpose of protecting and fostering the manufactures of the United States, and the several memorials and petitions of the manufacturers of hats and salt, made a report thereon ; which was read at the Clerk's table, and the resolutions therein contained are as follow :

1. *Resolved*, That additional duties ought to be laid on the following articles imported into the United States, to wit :

On ready made clothing and millinery, two and one-half per cent. ad valorem :

On cotton manufactures from beyond the Cape of Good Hope ;

On bed-ticking, and on corduroys and fustians, two and one-half per cent. ad valorem ; and

On shot and other manufactures in which lead is the article of chief value, one-half per cent. per pound.

2. *Resolved*, That a duty of eight cents per bushel on imported salt would give encouragement to the manufacture of that article in the United States.

A motion was made by Mr. Newton, and seconded, that the said report be committed to the consideration of a Committee of the Whole House.

A division of the question to commit to a Committee of the Whole House was called for by Mr. Stanford, the first member thereof to consist of so much of the said report as is contained within the first resolution.

A motion was then made by Mr. Randolph, and seconded, that the question of commitment be postponed indefinitely : When

Mr. Speaker declared the motion out of order.

From which decision of the Chair an appeal was made to the House by Mr. Randolph, and the same being seconded,

The question was taken, "Is the decision of the Chair correct ?"

And resolved in the affirmative.

The question then recurred on committing the said first member consisting of the first resolution to a Committee of the Whole House :

And the same being taken,

It was resolved in the affirmative, { Yeas ..... 77,  
Nays ..... 41.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
David Bard,  
Burwell Bassett,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
James Cox,  
William Crawford,  
Richard Cutts,  
Samuel W. Dana,  
John Dawson,  
John W. Eppes,  
William Findley,

Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
Peterson Goodwyn,  
Thomas R. Gold,  
Nathaniel A. Haven,  
Daniel Heister,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,  
Richard Jackson,  
Walter Jones,  
Thomas Kenan,  
John Love,  
Matthew Lyon,

Aaron Lyle,  
Robert Marion,  
Samuel M'Kee,  
Alexander M'Kim,  
William Milnor,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
Jonathan O. Moseley,  
Gurdon S. Mumford,  
Thomas Newton,  
Wilson C. Nicholas,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
John Porter,  
Peter B. Porter,  
John Rhea, of Tennessee,  
Matthias Richards,  
John Roane,

Erastus Root,  
Ebenezer Sage,  
Lemuel Sawyer,  
Benjamin Say,  
Samuel Shaw,  
John Smilie,  
George Smith,  
John Smith,  
Samuel Smith,  
Henry Southard,  
John Taylor,  
John Thompson,  
Uri Tracy,  
George M. Troup,  
Robert Weakley,  
Laban Wheaton,  
Robert Whitehill,  
Ezekiel Whitman,  
Richard Winn.

Those who voted in the negative, are,

William W. Bibb,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Matthew Clay,  
Howell Cobb,  
James Cochran,  
John Davenport, jun.  
William Ely,  
James Emott,  
Charles Goldsborough,  
William Hale,  
Jonathan H. Hubbard,  
Robert Jenkins,  
William Kennedy,  
Herman Knickerbacker,  
Joseph Lewis, jr.  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Nathaniel Macon,  
Vincent Matthews.

Archibald M'Bryde,  
Pleasant M. Miller,  
John Nicholson,  
Joseph Pearson,  
John Randolph,  
John Rea, of *Pennsylvania*,  
John Ross,  
Thomas Sammons,  
Daniel Sheffey,  
Richard Stanford,  
John Stanley,  
William Stedman,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Benjamin Tallmadge,  
Jabez Upham,  
Archibald Van Horn,  
James Wilson,  
Robert Witherspoon.

The question was then stated from the chair, that the second member of the said report, consisting of so much of the same as is contained within the second resolution before recited, be committed to the same Committee of the Whole House.

A question of order was raised by Mr. Randolph, whether it was in order to put the said question.

Mr. Speaker decided that in his opinion it was in order. From which decision of the Chair an appeal was made to the House by Mr. Randolph, and the said appeal being seconded, The question was stated, "Is the decision of the Chair correct?" When, A motion was made by Mr. Pitkin, and seconded, to reconsider the vote last taken : Whereupon,

Mr. Randolph withdrew his question of order and appeal. The question was then taken upon its merits.

The question was then taken upon reconsidering the said last vote,  
And determined in the negative.

And determined in the negative.

Mr. Randolph then renewed his question of order, and his appeal from the decision of the Chair.

And on the question, "Is the said decision of the Chair correct?" It was resolved in the affirmative.

It was resolved in the affirmative.

The question to commit the said second member consisting of the second of the said recited resolutions to the Committee of the Whole House, was then taken,

And determined in the negative, { Yeas ..... 32,  
Nays ..... 85.

The yeas and nays being demanded by one-fifth of the members present,  
Those who voted in the affirmative, are,

Ezekiel Bacon,  
Orchard Cook,  
Henry Crist,  
Richard Cutts,  
Samuel W. Dana,  
Joseph Desha,  
Jonathan Fisk,  
Gideon Gardner,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jonathan H. Hubbard,  
Richard Jackson,  
Richard M. Johnson,  
Robert Marion,  
Samuel M'Kee,

Alexander M'Kim,  
Gurdon S. Mumford,  
Thomas Newton,  
Benjamin Pickman, jr.  
Timothy Pitkin, jr.  
John Porter,  
Josiah Quincy,  
Ebenezer Sage,  
Lemuel Sawyer,  
Lewis B. Sturges,  
Samuel Taggart,  
John Taylor,  
Uri Tracy,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman,

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Daniel Blaisdell,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
John C. Chamberlain,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Matthew Clay,  
Howell Cobb,  
James Cochran,  
James Cox,  
William Crawford,  
John Davenport, jun.  
William Ely,  
James Emott,  
John W. Eppes,  
William Findley,  
Meshack Franklin,  
Barzillai Gannett,  
Thomas Gholson, jun.  
Charles Goldsborough,  
Peterson Goodwyn,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Daniel Heister,  
Jacob Hufty,  
John G. Jackson,  
Robert Jenkins,  
William Kennedy,  
Herman Knickerbacker,  
Joseph Lewis, jun.  
Robert Le Roy Livingston,

Aaron Lyle,  
Nathaniel Macon,  
Vincent Matthews,  
Archibald M'Bryde,  
Pleasant M. Miller,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
Jonathan O. Moseley,  
Wilson C. Nicholas,  
John Nicholson,  
Joseph Pearson,  
John Rea, of *Pennsylvania*,  
John Rhea, of *Tennessee*,  
Matthias Richards,  
John Roane,  
John Ross,  
Benjamin Say,  
Samuel Shaw,  
Daniel Sheffey,  
John Smilie,  
George Smith,  
John Smith,  
Samuel Smith,  
Henry Southard,  
Richard Stanford,  
John Stanley,  
William Stedman,  
James Stephenson,  
Jacob Swoope,  
Benjamin Tallmadge,  
John Thompson,  
George M. Troup,  
Jabez Upham,  
Nicholas Van Dyke,  
Archibald Van Horn,  
Robert Weakley,  
Robert Whitehill,  
James Wilson,  
Richard Winn,  
Robert Witherspoon.

*Ordered*, That so much of the said report as is referred to a Committee of the Whole House be the order of the day for the first day of August next.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker :* The Senate have concurred in the resolution sent from this House, for the appointment of a joint committee to have the application of the money appropriated by the "Act making a farther appropriation for the support of a Library;" and have appointed Mr. Thruston, Mr. Giles, and Mr. Gregg, a committee on their part. And then he withdrew.

Mr. Gholson, from the Joint Committee for Enrolled Bills, reported that the committee did, yesterday, present to the President of the United States, for his approbation, an enrolled bill, entitled "An act authorizing the discharge of John Heard from his imprisonment."

The House, according to the order of the day, again resolved itself into a Committee of the Whole House on the bill to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" to which Committee of the Whole House is also committed the bill sent from the Senate, entitled "An act to amend and continue in force the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;' and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bassett reported that the committee had, according to order, had the said bills under consideration, and made a farther progress therein.

*Resolved,* That this House will, to-morrow, again resolve itself into a Committee of the Whole House on the said bills.

Mr. Findley, from the Committee of Elections, to whom was recommitted, on the thirteenth instant, their report on the petition of Charles Turner, junior, and petitions from sundry inhabitants of the District of Plymouth, in the State of Massachusetts, contesting the election of William Baylies, returned to serve as one of the members of this House for the said State, made an amendatory report thereon : When,

The several orders of the day were farther postponed until to-morrow.

And the House adjourned until to-morrow morning eleven o'clock.

#### THURSDAY, JUNE 22, 1809.

The report of the Committee of Elections made yesterday on the contested election of William Baylies, was read, and ordered to be committed to a Committee of the Whole House on Saturday next.

*Ordered,* That Mr. Say, Mr. Upham, and Mr. Gray, have leave to be absent from the service of this House after to-morrow ; Mr. Kenan after Saturday next ; and Mr. Goldsborough, Mr. Tallmadge, and Mr. Ely, after Monday next, for the remainder of the session.

Mr. Newton presented sundry documents relating to the claim of Andrew Foster and Jacob P. Giraud, which were ordered to be referred to the Committee of the Whole House on the bill to relinquish and remit the claim of the United States to any moneys arising from the condemnation of the ship Clara, late the property of Andrew Foster and Jacob P. Giraud.

Mr. Mumford presented a petition of the thread makers in the city of New York, whose names are thereunto subscribed, praying that an additional duty may be imposed upon white and colored thread imported from foreign places.

The said petition was read, and referred to the Committee of Commerce and Manufactures.

Mr. Gholson presented a petition of sundry inhabitants of Brunswick county, in the State of Virginia, whose names are thereunto subscribed, praying an alteration of the present post route from Harrisville to Hicksford, in said county, so as to pass by Percival's post office and Bellfield.

*Ordered,* That the said petition be referred to the Committee of the Whole House on the bill to alter and establish certain post roads.

On motion of Mr. Gholson,

*Ordered,* That the petition of sundry inhabitants of the State of Virginia, presented on the twenty-fourth of January last, be referred to the Committee of the Whole House last mentioned.

Mr. Gold, from the committee appointed on the nineteenth instant, presented, according to order, a bill to authorize the Secretary of War to ascertain and settle, by the appointment of Commissioners, the exterior line of the public land at West Point which was received, and read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House on Monday next.

A motion was made by Mr. Miller, and seconded, that the House do come to the following resolution :

*Resolved*, That the President of the United States be requested to take measures to ascertain the title of the United States to all the alluvions, islands, accretions, and banks on the river Mississippi, designating particularly the title to those opposite the city of New Orleans, and the several suburbs laid out and adjoining the same.

The said resolution was read, and permitted to lie on the table.

On motion of Mr. Moseley,

*Ordered*, That the memorial of Stephen Alling, of the State of Connecticut, presented on the eighteenth of December, one thousand eight hundred and seven, be referred to the Committee of Claims.

The House proceeded to consider the resolution from the Senate, in the form of concurrent resolution, authorizing the President of the Senate and the Speaker of the House of Representatives to adjourn their respective Houses on the *twentieth* of June instant : Whereupon,

*Resolved*, That this House doth agree to the same, with the following amendment : strike out the word, "*twentieth*," and insert, "*twenty-eighth*."

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker* : The Senate have passed a bill, entitled "An act for the remission of certain penalties and forfeitures, and for other purposes ;" also a bill, entitled "An act authorizing the accounting officers of the Treasury Department to give credit to certain Collectors of the Customs, for allowances paid by them to the owners and crews of fishing vessels ;" to which bills they desire the concurrence of this House. And then he withdrew.

Another message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker* : The Senate agree to the amendment of this House to the concurrent resolution of the two Houses, designating the day for the adjournment of the present session of Congress. And then he withdrew.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill concerning the Naval Establishment ; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Marion reported that the committee had, according to order, had the said bill under consideration, and made an amendment thereto ; which was read at the Clerk's table, and agreed to by the House.

A motion was then made by Mr. Pitkin, and seconded, further to amend the said bill, by inserting after the words, "is hereby authorized," in the fourth line of the first section of the printed bill, the following words : "*to cause to be sold all the gun-boats belonging to the United States, except such as he may judge requisite for actual service : And also :*"

A motion was made by Mr. Macon, and seconded, to amend the proposed amendment, by inserting after the word "*sold*," the following : "*such of the frigates and other armed vessels, and :*"

And the question being taken thereupon,

It was determined in the negative.

The question was then taken upon the said amendment as originally proposed,

And determined in the negative, { Yeas ..... 53,  
  { Nays ..... 73.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

William Baylies,  
Daniel Blaisdell,  
John Campbell,  
John C. Chamberlain,  
William Chamberlin,  
Epaphroditus Champion,  
Martin Chittenden,  
Matthew Clay,  
James Cochran,  
Orchard Cook,  
Samuel W. Dana,

John Davenport, jun.  
William Ely,  
James Emott,  
Charles Goldsborough,  
Thomas R. Gold,  
Nathaniel A. Haven,  
Jonathan H. Hubbard,  
Richard Jackson,  
Robert Jenkins,  
Walter Jones,  
William Kennedy.

Herman Knickerbacker,  
Joseph Lewis, jun.  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Nathaniel Macon,  
Vincent Matthews,  
Archibald M'Bride,  
Thomas Moore,  
Jonathan O. Moseley,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
Josiah Quincy,  
John Randolph,  
John Ross,  
Daniel Sheffey,

Samuel Smith,  
Richard Stanford,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Benjamin Tallmadge,  
Jabez Upham,  
Nicholas Van Dyke,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman,  
James Wilson.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William A. Burwell,  
Joseph Calhoun,  
John Clopton,  
Howell Cobb,  
William Crawford,  
Henry Crist,  
Richard Cutts,  
John Dawson,  
Joseph Desha,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
Peterson Goodwyn,  
William Hale,  
Daniel Heister,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John Love,  
Matthew Lyon,  
Aaron Lyle,  
Robert Marion,

Samuel M'Kee,  
Alexander M'Kim,  
Pleasant M. Miller,  
William Milnor,  
John Montgomery,  
Nicholas R. Moore,  
Jeremiah Morrow,  
Gurdon S. Mumford,  
Thomas Newton,  
Wilson C. Nicholas,  
John Nicholson,  
John Porter,  
Peter B. Porter,  
John Rea, *of Pennsylvania*,  
John Rhea, *of Tennessee*,  
Matthias Richards,  
John Roane,  
Erastus Root,  
Ebenezer Sage,  
Thomas Sammons,  
Lemuel Sawyer,  
Benjamin Say,  
Samuel Shaw,  
John Smilie,  
George Smith,  
John Smith,  
Henry Southard,  
John Taylor,  
John Thompson,  
Uri Tracy,  
George M. Troup,  
Archibald Van Horn,  
Robert Weakley,  
Robert Whitehill,  
Richard Winn,  
Robert Witherspoon.

*Ordered*, That the said bill and amendment agreed to, be engrossed, and read the third time to-morrow.

The bill sent from the Senate, entitled "An act making an appropriation to finish and furnish the Senate Chamber, and for other purposes," was read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House on Saturday next.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill sent from the Senate, entitled "An act to fix the time for

the next meeting of Congress;" and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Macon reported that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

A motion was made by Mr. Macon, and seconded, to amend the same by striking out the words "*fourth Monday of November*," and inserting, in lieu thereof, "*second Monday in February*."

A division of the question on the said amendment was called for by Mr. Milnor:

And the question being taken to strike out the said words,

It was determined in the negative.

A motion was made by Mr. Fisk, and seconded, to amend the said bill, by striking out the said "*fourth Monday of November*," and to insert, "*first Monday of January*."

A division of the question on the said amendment was called for:

And the same being taken to strike out the words aforesaid,

It was determined in the negative.

A motion was then made by Mr. Gholson, to strike out the said words, "*fourth Monday of November*:"

And the question being taken thereupon,

It was determined in the negative.

A motion was then made by Mr. Stanford, and seconded, to strike out the aforesaid "*fourth Monday of November*."

Mr. Speaker declared the motion out of order.

From which decision of the Chair an appeal was made to the House, by Mr. Bibb, and the same being seconded,

The question was taken, "Is the said decision of the Chair correct?"

And resolved in the affirmative.

*Ordered*, That the said bill be read the third time immediately.

The said bill was accordingly read the third time;

And on the question that the same do pass,

It was resolved in the affirmative.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cutts reported that the committee had, according to order, had the said bill under consideration, and made amendments thereto.

The House proceeded to consider the said bill and amendments at the Clerk's table, and the first of the same being again read, was, upon the question put thereupon, concurred in by the House.

A motion was made by Mr. Randolph, and seconded, to amend the second amendment by striking out the words "*four thousand*," for the purpose of inserting "*five thousand*:"

And the question being taken thereupon,

It was determined in the negative.

A motion was made by Mr. Rhea, of Tennessee, and seconded, that the House do now adjourn:

And the question being taken thereupon,

It was determined in the negative, { Yeas ..... 29,  
Nays ..... 44.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

Willis Alston, jun.  
John C. Chamberlain,  
James Cochran,  
James Cox,  
Meshack Franklin,  
Gideon Gardner,  
Peterson Goodwyn,  
William Helms,  
James Holland,  
Benjamin Howard,  
Richard M. Johnson,  
Walter Jones,

William Kennedy,  
Nathaniel Macon,  
Robert Marion,  
Alexander M'Kim,  
John Montgomery,  
Thomas Moore,  
Jeremiah Morrow,  
John Rhea, of Tennessee,  
Ebenezer Sage,  
Thomas Sammons,  
Benjamin Say,  
George Smith,

Henry Southard,  
Lewis B. Sturges,  
Jacob Swoope,

Those who voted in the negative, are,

William Anderson,  
Ezekiel Bacon,  
Daniel Blaisdell,  
John Brown,  
William Butler,  
Richard Cutts,  
Joseph Desha,  
William Ely,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Thomas Gholson, jun.  
Charles Goldsborough,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Jonathan H. Hubbard,  
John G. Jackson,  
Richard Jackson,  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
John Love,

John Taylor,  
George M. Troup.

Matthew Lyon,  
Archibald M'Bryde,  
Samuel M'Kee,  
William Milnor,  
Thomas Newton,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
Peter B. Porter,  
Josiah Quincy,  
John Randolph,  
John Rea, of *Pennsylvania*,  
John Roane,  
John Ross,  
Samuel Smith,  
Richard Stanford,  
John Stanley,  
Benjamin Tallmadge,  
Uri Tracy,  
Nicholas Van Dyke,  
Archibald Van Horn,  
James Wilson,  
Robert Witherspoon.

The question was then taken upon concurring with the Committee of the Whole House in their said second amendment,

And resolved in the affirmative, { Yeas ..... 53,  
  { Nays ..... 32.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

Ezekiel Bacon,  
Daniel Blaisdell,  
John C. Chamberlain,  
Epaphroditus Champion,  
Martin Chittenden,  
Orchard Cook,  
Richard Cutts,  
Samuel W. Dana,  
John Davenport, jr.  
William Ely,  
James Emott,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Thomas Gholson, jr.  
Charles Goldsborough,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Benjamin Howard,  
Jonathan H. Hubbard,  
John G. Jackson,  
Richard Jackson,  
Richard M. Johnson,  
Herman Knickerbacker,  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,

John Love,  
Matthew Lyon,  
William Milnor,  
Jonathan O. Moseley,  
Thomas Newton,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
Peter B. Porter,  
Josiah Quincy,  
John Randolph,  
John Ross,  
Samuel Smith,  
Richard Stanford,  
John Stanley,  
William Stedman,  
Lewis B. Sturges,  
Samuel Taggart,  
Benjamin Tallmadge,  
Uri Tracy,  
Jabez Upham,  
Nicholas Van Dyke,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Ezekiel Whitman,  
James Wilson.

Those who voted in the negative, are,

Willis Alston, jun.  
 William Anderson,  
 John Brown,  
 William Butler,  
 James Cochran,  
 James Cox,  
 Joseph Desha,  
 Gideon Gardner,  
 Peterson Goodwyn,  
 Daniel Heister,  
 Thomas Kenan,  
 William Kennedy,  
 Nathaniel Macon,  
 Robert Marion,  
 Samuel M'Kee,  
 Alexander M'Kim,

John Montgomery,  
 Thomas Moore,  
 Jeremiah Morrow,  
 John Rea, of *Pennsylvania*,  
 John Rhea, of *Tennessee*,  
 Matthias Richards,  
 John Roane,  
 Thomas Sammons,  
 Benjamin Say,  
 George Smith,  
 Henry Southard,  
 Jacob Swoope,  
 John Taylor,  
 Robert Weakley,  
 Richard Winn,  
 Robert Witherspoon.

*Ordered*, That the said bill, with the amendments, be engrossed, and read the third time to-morrow.

The several orders of the day were farther postponed until to-morrow.

And then the House adjourned until to-morrow morning eleven o'clock.

### FRIDAY, JUNE 23, 1809.

The bill sent from the Senate, entitled "An act authorizing the Accounting Officers of the Treasury Department to give credit to certain Collectors of the Customs, for allowances paid by them to the owners and crews of fishing vessels," was read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House this day.

The bill sent from the Senate, entitled "An act for the remission of certain penalties and forfeitures, and for other purposes," was read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the Whole House on Monday next.

Mr. Mumford presented a petition of John R. Murray and William Ogden, merchants, under the firm of "John Murray and Sons," praying to be allowed the drawback of duties on the exportation of a quantity of Havana sugars, which drawback has been withheld in consequence of a late and new construction of the laws in such cases provided.

The said petition was read, and referred to the Committee of Commerce and Manufactures.

The Speaker laid before the House a report from the Secretary of the Treasury, of information touching the exercise of the duties and powers of the Commissioners of the Sinking Fund, as is contained in the tenth and nineteenth sections of an act passed the third of March, one thousand seven hundred and ninety-five, appearing from the minutes or proceedings of the said Commissioners, in obedience to a resolution of the seventeenth instant; which was read, and ordered to lie on the table.

An engrossed bill concerning the naval establishment was read the third time.

*Resolved*, That the said bill do pass, and that the title be, "An act concerning the naval establishment."

An engrossed bill making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress, was read the third time.

A motion was made by Mr. Root, and seconded, that the said bill be recommitted to a Committee of the Whole House:

And the question being taken thereupon,

It was determined in the negative.

The question was then taken that the same do pass,

And resolved in the affirmative.

The title to the said bill was then read: When,

A motion was made by Mr. Eppes, and seconded, to amend the same by adding to the end thereof the words, "and an additional appropriation for the purchase of books, maps, and charts for the Library of Congress."

A motion was made by Mr. Willis Alston, and seconded, to amend the said amendment, by inserting after the word "additional," the words, "and permanent :"

And the question being taken thereupon,

It was determined in the negative.

The question was then taken upon the amendment proposed by Mr. Eppes,

And resolved in the affirmative.

The said title, as amended, was then read in the words following : " An act for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress, and an additional appropriation for the purchase of books, maps, and charts, for the Library of Congress :"

And on the question to agree to the said title as amended,

It was resolved in the affirmative.

*Ordered*, That the Clerk of this House do carry the said bills to the Senate, and desire their concurrence.

The House, according to the order of the day, again resolved itself into a Committee of the Whole House on the bill to amend and continue in force the act, entitled " An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes ;" to which Committee of the Whole House was also committed the bill sent from the Senate, entitled " An act to amend and continue in force an act, entitled ' An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes ;' " and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bassett reported that the committee had, according to order, again had the said bills under consideration, and made a further progress therein.

*Resolved*, That this House will, to-morrow, again resolve itself into a Committee of the Whole House on the said bills.

Mr. Fisk, from the Joint Committee for Enrolled Bills, reported that the committee had examined an enrolled bill, entitled " An act to fix the time for the next meeting of Congress," and had found the same to be truly enrolled : Whereupon,

Mr. Speaker signed the said enrolled bill.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The several orders of the day were farther postponed until to-morrow.

And then the House adjourned until to-morrow morning eleven o'clock.

#### SATURDAY, JUNE 24, 1809.

A motion was made by Mr. Cook, and seconded, that the House do come to the following resolution :

*Resolved*, That, if Congress should not be in session on the fourth of July, the citizens of the District of Columbia be permitted to occupy the Representatives' Chamber for the purpose of attending the delivery of any discourse prepared for the celebration of that day :

And on the question that the House do proceed to the consideration of the said resolution,

It was determined in the negative.

*Ordered*, That Mr. Davenport have leave to be absent from the service of this House, after Tuesday, and Mr. Love, after Monday next, for the remainder of the session.

*Ordered*, That Joseph Wheaton have leave to withdraw his papers, presented to this House on the first day of the present session.

Mr. Hale presented a petition of Joseph Richardson, of the State of New Hampshire, praying an increase of the pension heretofore granted him in consideration of wounds received whilst a soldier in the Revolutionary army, and that the said pension may commence from the time at which the said wounds were received.

The said petition was read, and referred to the Committee of Claims.

On motion of Mr. Van Horn, and seconded,

*Resolved*, That the Clerk be directed to procure a Clock for the use of the House of Representatives, and to cause it to be placed in some convenient part of the Representatives' Chamber.

Mr. Morrow presented a petition of H. Cadbury, of the State of Ohio, praying for permission to sub-divide into quarter sections four sections of pre-emption lands, purchased from the United States.

*Ordered*, That the said petition do lie on the table.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker :* The Senate have passed the bill, entitled "An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress, and an additional appropriation for the purchase of books, maps, and charts, for the Library of Congress," with an amendment ; to which they desire the concurrence of this House. Also, a bill, entitled "An act freeing from postage all letters and packets from Thomas Jefferson ;" to which they also desire the concurrence of this House. And then he withdrew.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the amendatory report of the Committee of Elections, to whom were referred the petition of Charles Turner, jun., and the petitions of sundry inhabitants of Plymouth District, in the State of Massachusetts, contesting the election of William Baylies ; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bassett reported that the committee had, according to order, had the said report under consideration, and made some progress therein, and directed him to ask leave of the House to sit again.

And on the question, " Shall the Committee of the Whole House have leave to sit again on the said report ?"

It was determined in the negative.

The several orders of the day were farther postponed until Monday next.

And the House adjourned until Monday morning eleven o'clock.

#### MONDAY, JUNE 26, 1809.

Mr. Macon presented a petition of sundry inhabitants of Washington county, in the Mississippi Territory, praying for a donation of the lands on which they have settled, for the reasons therein stated.

*Ordered,* That the said petition do lie on the table.

Mr. Rhea, of Tennessee, presented a petition of sundry inhabitants of the District of Newbury, in the State of South Carolina, whose names are thereunto subscribed, praying for the establishment of a post route from Columbia, by Poplar Grove, to Newbury Court House, in the said State.

Mr. Rhea also presented a petition of sundry inhabitants of Randolph county, in the State of North Carolina, whose names are thereunto subscribed, praying an alteration in the present post route from Randolph to Salisbury.

*Ordered,* That the said petitions be referred to the Committee of the Whole House on the bill to alter and establish certain post roads.

Mr. Marion presented a petition of George Lusher, of Charleston, in the State of South Carolina, to the same effect with a petition of Thomas Lindsey, presented on the seventeenth instant.

Mr. Marion also presented to the House a petition of John Rinaldi, late master of the schooner William, of Charleston, State of South Carolina, praying to be exonerated from the payment of a bond given by him to the Collector of Charleston, in April last, for the reasons therein stated.

The said petitions were read, and referred to the Committee of the Whole House on the bill sent from the Senate, entitled "An act for the remission of certain penalties and forfeitures, and for other purposes."

A motion was made by Mr. Sheffey, and seconded, that the House do come to the following resolutions :

*Resolved by the Senate and House of Representatives of the United States in Congress assembled,* That the President be requested to cause the several persons who were removed from the Batture of the suburb St. Mary, in the city of New Orleans, on the twenty-fifth day of January, one thousand eight hundred and eight, to be restored to the possession thereof, to be held with the same rights with which they respectively held the same immediately prior to such removal, any subsequent act or thing to the contrary notwithstanding.

*Resolved by the Senate and House of Representatives of the United States in Congress assembled,* That, if the President shall be of opinion that the United States have such a legal claim to the Batture opposite the suburb St. Mary, in the city of New Orleans, as will justify the expense of prosecuting the same, he be authorized, with the consent of the parties removed therefrom on the twenty-fifth day of January, one thousand eight hundred and eight, to name three referees, who shall have full power to hear and

finally to determine all rights, title, claim, and demand, whatsoever, as well of the United States as of the parties so removed, both in law and equity; and their award, or that of a majority of them, shall be binding, as well on the United States as the said parties.

*Resolved*, That, if the President shall deem it most expedient, he may compromise the conflicting claims of the United States and the persons removed from the Batture of the suburb of St. Mary, in the city of New Orleans, and cause the same to be tried in a Court of the United States, in such manner, and at such place, as will secure an impartial trial.

The said resolutions were read, and the first thereof ordered to be committed to a Committee of the Whole House to-morrow.

The second and third of the said resolutions were then again read, and ordered to be committed to the Committee of the Whole House last appointed.

Mr. Fisk, from the Joint Committee for Enrolled Bills, reported that the committee did, on the twenty-fourth instant, present to the President of the United States, for his approbation, an enrolled bill, entitled "An act to fix the time for the next meeting of Congress."

A message was received from the President of the United States, by Mr. Graham, notifying that the President did, on the twentieth instant, approve and sign an act, which originated in this House, entitled "An act authorizing the discharge of John Heard from his imprisonment."

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

On motion of Mr. Smilie,

*Ordered*, That the report of the Committee of Elections on the contested election of William Baylies, do lie on the table.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker*: The Senate have passed the bill, entitled "An act concerning the Naval Establishment." I am directed to inform this House that the President of the United States has approved and signed an act, which originated in the Senate, entitled "An act to fix the time for the next meeting of Congress." The Vice President of the United States having obtained leave of absence for the remainder of the session, the Senate have elected Mr. Gregg President of the Senate, pro tempore. And then he withdrew.

On motion of Mr. John G. Jackson, and seconded,

*Ordered*, That the Committee of the Whole House to whom is committed the bill of this House to amend and continue in force the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" and the bill sent from the Senate, entitled "An act to amend and continue in force an act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;' be discharged from the farther consideration of the said bills.

The House then proceeded to consider the last mentioned of the said bills at the Clerk's table.

A motion was made by Mr. John G. Jackson, and seconded, to amend the same, by inserting after the word "vessel," in the first line of the third section, the words, "*except such as may be chartered or employed for the public service by the President of the United States.*"

And the question being taken thereupon,

It was resolved in the affirmative.

Another motion was made by Mr. John G. Jackson, further to amend the said bill, by inserting after the word "permitted," in the fourth line of the same section, the words, "*except such as may be chartered or employed as aforesaid.*"

And the question being taken thereupon,

It was resolved in the affirmative.

A motion was made by Mr. Sheffey, and seconded, to amend the said bill by adding, to the end of the first section, the following proviso :

*"And provided also, That nothing therein contained shall be construed to prevent any public vessel from entering the waters and harbors of the United States, belonging to any nation with whom commercial intercourse shall be permitted, whenever a full and satisfactory adjustment of existing differences shall have been made with such nation."*

A division of the question on the said proviso was called for by Mr. Sheffey, and seconded :

And, on the question that the House do agree to the first member of the said proviso,

contained in the words following, to wit: *And provided also, That nothing therein contained shall be construed to prevent any public vessel from entering the waters and harbors of the United States, belonging to any nation with whom commercial intercourse shall be permitted,*"

It was determined in the negative, { Yeas ..... 35,  
Nays ..... 77.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

William Baylies,  
Daniel Blaisdell,  
John Campbell,  
John C. Chamberlain,  
William Chamberlin,  
Epaphroditus Champion,  
William Ely,  
Charles Goldsborough,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
James Holland,  
Jonathan H. Hubbard,  
Richard Jackson, jun.  
Robert Jenkins,  
Herman Knickerbacker,  
Joseph Lewis, jun.  
Edward St. Loe Livermore,

Robert Le Roy Livingston,  
Matthew Lyon,  
Vincent Matthews,  
Pleasant M. Miller,  
William Milnor,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
Daniel Sheffey,  
John Stanley,  
James Stephenson,  
Jacob Swoope,  
Nicholas Van Dyke,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman,  
James Wilson.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
Matthew Clay,  
John Clopton,  
Howell Cobb,  
James Cochran,  
Orchard Cook,  
James Cox,  
William Crawford,  
Richard Cutts,  
John Dawson,  
Joseph Desha,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
Peterson Goodwyn,  
Daniel Heister,  
William Helms,  
Benjamin Howard,  
Jacob Hufty,

John G. Jackson,  
Richard M. Johnson,  
Walter Jones,  
William Kennedy,  
John Love,  
Aaron Lyle,  
Nathaniel Macon,  
Robert Marion,  
Alexander M'Kim,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
Gurdon S. Mumford,  
Thomas Newton,  
Wilson C. Nicholas,  
John Porter,  
Peter B. Porter,  
John Randolph,  
John Rea, of *Pennsylvania*,  
John Rhea, of *Tennessee*,  
Matthias Richards,  
John Roane,  
Erastus Root,  
John Ross,  
Ebenezer Sage,  
Thomas Sammons,  
Samuel Shaw,  
John Smilie,  
George Smith,  
John Smith,  
Samuel Smith,  
Henry Southard,  
Richard Stanford,  
John Taylor,

John Thompson,  
Uri Tracy,  
Archibald Van Horn,  
Robert Weakley,

Robert Whitehill,  
Richard Winn,  
Robert Witherspoon.

The first member of the said proviso being rejected, the second member failed of course.

A motion was made by Mr. Taylor, and seconded, to amend the said bill by inserting after the word "the," at the end of the second line of the first section, the words, "*first and second*."

And the question being taken thereupon,

It was determined in the negative, { Yeas ..... 15,  
  { Nays ..... 100.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

David Bard,  
William W. Bibb,  
Adam Boyd,  
William Crawford,  
Joseph Desha,  
James Holland,  
Nathaniel Macon,  
Robert Marion,

Jeremiah Morrow,  
Benjamin Pickman, jun.  
John Ross,  
George Smith,  
John Taylor,  
Robert Whitehill,  
Robert Witherspoon.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
Burwell Bassett,  
Daniel Blaisdell,  
John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
John Campbell,  
John C. Chamberlain,  
Epaphroditus Champion,  
Matthew Clay,  
John Clopton,  
Howell Cobb,  
James Chochran,  
Orchard Cook,  
James Cox,  
Richard Cutts,  
John Dawson,  
William Ely,  
James Emott,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
Charles Goldsborough,  
Peterson Goodwyn,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Daniel Heister,  
William Helms,

Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,  
Richard Jackson,  
Robert Jenkins,  
Richard M. Johnson,  
Walter Jones,  
William Kennedy,  
Herman Knickerbacker,  
Joseph Lewis, jun.  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
John Love,  
Aaron Lyle,  
Vincent Matthews,  
Alexander M'Kim,  
Pleasant M. Miller,  
William M Inor,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Gurdon S. Mumford,  
Thomas Newton,  
Wilson C. Nicholas,  
Joseph Pearson,  
Timothy Pitkin, jun.  
John Porter,  
Peter B. Porter,  
Josiah Quincy,  
John Randolph,  
John Rea, of *Pennsylvania*,  
John Rhea, of *Tennessee*,  
Matthias Richards,  
John Roane,  
Erastus Root,  
Ebenezer Sage,  
Thomas Sammons,  
Lemuel Sawyer,

Samuel Shaw,  
Daniel Sheffey,  
John Smilie,  
John Smith,  
Samuel Smith,  
Henry Southard,  
Richard Stanford,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,

Benjamin Tallmadge,  
John Thompson,  
Uri Tracy,  
George M. Troup,  
Jabez Upham,  
Nicholas Van Dyke,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Robert Weakley,  
Laban Wheaton,  
James Wilson,  
Richard Winn.

A motion was made by Mr. Montgomery, and seconded, to amend the same by inserting after the word "shall," in the first line of the fourth section, the words, "during the continuance and after the expiration thereof :"

And the question being taken thereupon,  
It was resolved in the affirmative.

A motion was made by Mr. Livermore, and seconded, to add to the end of the first section of the said bill, the following words: "and for the purposes of this act, no country or place shall be considered as a colony or dependency of Great Britain or France, which is not under the immediate government, or in the possession of either Great Britain or France:"

And the question being taken thereupon,

It was determined in the negative, { Yea ..... 1,  
Nays ..... 97.

The yeas and nays as demanded by one-fifth of the members present, are as follow :

YEA.

**Edward St. Loe Livermore.**

**NAYS.**

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
William Baylies,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Daniel Blaisdell,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William A. Burwell,  
William Butler,  
Joseph Calhoun,  
John Campbell,  
William Chamberlin,  
Matthew Clay,  
Howell Cobb,  
James Cochran,  
Orchard Cook,  
James Cox,  
William Crawford,  
Richard Cutts,  
Samuel W. Dana,  
John Dawson,  
Joseph Desha,  
James Emott,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,

Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
Charles Goldsborough,  
Peterson Goodwyn,  
Thomas R. Gold,  
Nathaniel A. Haven,  
Daniel Heister,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,  
John G. Jackson,  
Richard M. Johnson,  
Walter Jones,  
William Kennedy,  
Herman Knickerbacker,  
Joseph Lewis, jun.  
Robert Le Roy Livingston,  
Aaron Lyle,  
Nathaniel Macon,  
Robert Marion,  
Alexander M'Kim,  
William Milnor,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
Gurdon S. Mumford,  
Thomas Newton,

Wilson C. Nicholas,  
Benjamin Pickmn, jun.  
John Porter,  
Peter B. Porter,  
Josiah Quincy,  
John Randolph,  
John Rea, of *Pennsylvania*,  
John Rhea, of *Tennessee*,  
Matthias Richards,  
John Roane,  
Erastus Root,  
Ebenezer Sage,  
Thomas Sammons,  
Lemuel Sawyer,  
Samuel Shaw,  
Daniel Sheffey,  
John Smilie,  
George Smith,

John Smith,  
Samuel Smith,  
Henry Southard,  
Richard Stanford,  
John Stanley,  
Jacob Swoope,  
John Taylor,  
John Thompson,  
Uri Tracy,  
George M. Troup,  
Nicholas Van Dyke,  
Archibald Van Horn,  
Robert Weakley,  
Robert Whitehill,  
James Wilson,  
Richard Winn,  
Robert Witherspoon.

A motion was made by Mr. John G. Jackson, and seconded, further to amend the said bill, by adding to the end of the fourth section, the following words : "*and the acts therein referred to :*"

And the question being taken thereupon,  
It was resolved in the affirmative.

A motion was made by Mr. Gold, and seconded, to amend the said bill, by striking out, from the fourth line of the second section, the words "have been," and to insert "*may be :*"

And the question being taken thereupon,  
It was determined in the negative.

A motion was then made by Mr. Milnor, and seconded, to insert, after the word "nine," in the third line of the fifth section of the same, the words, "*together with their cargoes :*"

And the question being taken thereupon,  
It was determined in the negative.

*Ordered*, That the said bill and amendments agreed to, be engrossed, and read the third time to-morrow.

The several orders of the day were farther postponed until to-morrow.

And then the House adjourned until to-morrow morning eleven o'clock.

## TUESDAY, JUNE 27, 1809.

The bill sent from the Senate, entitled "An act freeing from postage all letters and packets from Thomas Jefferson," was read the first time.

On motion,

The said bill was read the second time, and ordered to be read the third time this day.

Mr. Randolph, from the committee appointed, on the thirty-first ultimo, "to inquire whether moneys drawn from the Treasury since the fourth of March, one thousand eight hundred and one, have been faithfully applied to the objects for which they were appropriated and regularly accounted for," made a report, in part, thereon ; which was read, and ordered to lie on the table.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker* : The Senate have passed a bill, entitled "An act in addition to the 'Act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio ;' to which they desire the concurrence of this House. And then he withdrew.

The bill sent from the Senate, entitled "An act freeing from postage all letters and packets from Thomas Jefferson," was read the third time :

And on the question that the same do pass,  
It was resolved in the affirmative.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The bill sent from the Senate, entitled "An act to amend and continue in force the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,' together with the amendments made to the same, were read the third time :

And on the question that the same do pass, as amended,

It was resolved in the affirmative, { Yeas ..... 72,  
 { Nays ..... 15.

The yeas and nays being demanded by one-fifth of the members present.

Those who voted in the affirmative, are,

Lemuel J. Alston,  
 Willis Alston, jun.  
 William Anderson,  
 Ezekiel Bacon,  
 William W. Bibb,  
 Adam Boyd,  
 John Brown,  
 Robert Brown,  
 William A. Burwell,  
 Joseph Calhoun,  
 John Campbell,  
 Howell Cobb,  
 James Cochran,  
 Orchard Cook,  
 James Cox,  
 Richard Cutts,  
 John Dawson,  
 Joseph Desha,  
 James Emott,  
 John W. Eppes,  
 William Findley,  
 Jonathan Fisk,  
 Gideon Gardner,  
 Thomas Gholson, jun.  
 Peterson Goodwyn,  
 Thomas R. Gold,  
 Daniel Heister,  
 William Helms,  
 Jacob Hufty,  
 Robert Jenkins,  
 Richard M. Johnson,  
 William Kennedy,  
 Herman Knickerbacker,  
 Robert Le Roy Livingston,  
 John Love,  
 Matthew Lyon,

Aaron Lyle,  
 Robert Marion,  
 Vincent Matthews,  
 Samuel M'Kee,  
 William Milnor,  
 John Montgomery,  
 Nicholas R. Moore,  
 Thomas Newton,  
 Joseph Pearson,  
 John Porter,  
 Peter B. Porter,  
 Josiah Quincy,  
 John Rea, of *Pennsylvania*,  
 John Rhea, of *Tennessee*,  
 Matthias Richards,  
 John Roane,  
 Ebenezer Sage,  
 Thomas Sammons,  
 Daniel Sheffey,  
 John Smilie,  
 George Smith,  
 Samuel Smith,  
 Henry Southard,  
 John Stanley,  
 James Stephenson,  
 Jacob Swoope,  
 John Thompson,  
 Uri Tracy,  
 Nicholas Van Dyke,  
 Archibald Van Horn,  
 Robert Weakley,  
 Laban Wheaton,  
 Robert Whitehill,  
 Ezekiel Whitman,  
 Richard Winn,  
 Robert Witherspoon.

Those who voted in the negative, are,

Daniel Blaisdell,  
 John C. Chamberlain,  
 Samuel W. Dana,  
 John Davenport, jr.  
 William Ely,  
 William Hale,  
 Nathaniel A. Haven,  
 James Holland,

Jonathan H. Hubbard,  
 Edward St. Loe Livermore,  
 Nathaniel Macon,  
 Timothy Pitkin, junior,  
 John Ross,  
 Richard Stanford,  
 John Taylor.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

Mr. Gholson, from the Joint Committee for Enrolled Bills, reported that the committee had examined an enrolled bill, entitled "An act concerning the naval establishment," and had found the same to be truly enrolled: Whereupon,

Mr. Speaker signed the said enrolled bill.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The House proceeded to consider the amendment of the Senate to the bill, entitled "An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress, and an additional appropriation for the purchase of books, maps, and charts, for the Library of Congress;" and the same being twice read, was, on the question put thereupon, concurred in by the House.

The amendment to the title of the said bill was then read, and concurred in by the House.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The House proceeded to consider the report of the Committee of Elections, on the contested election of William Baylies, one of the members from the State of Massachusetts.

A motion was made by Mr. Taylor, and seconded, that the farther consideration of the said report be postponed indefinitely :

And debate arising,

A motion was made by Mr. Dana, and seconded, that the House do now adjourn :

And the question being taken thereupon,

It was determined in the negative, { Yeas ..... 21,  
Nays ..... 55.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

William Chamberlin,  
Samuel W. Dana,  
William Hale,  
Nathaniel A. Haven,  
Daniel Heister,  
Robert Jenkins,  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Matthew Lyon,  
Pleasant M. Miller,  
William Milnor,

John Randolph,  
John Ross,  
Daniel Sheffey,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
John Taylor,  
Killian K. Van Rensselaer,  
Laban Wheaton.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
David Bard,  
William W. Bibb,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William Butler,  
Joseph Calhoun,  
John C. Chamberlain,  
Matthew Clay,  
James Cochran,  
James Cox,  
William Crawford,  
John Davenport, junior,  
John Dawson,  
William Findley,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jr.  
Peterson Goodwyn,  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,

John G. Jackson,  
Richard M. Johnson,  
William Kennedy,  
Aaron Lyle,  
Nathaniel Macon,  
Samuel M'Kee,  
Alexander M'Kim,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
Thomas Newton,  
John Porter,  
John Rhea, of Tennessee,  
Matthias Richards,  
John Roane,  
Erastus Root,  
Thomas Sammons,  
Samuel Shaw,  
John Smilie,  
George Smith,  
Henry Southard,  
Richard Stanford,  
John Thompson,  
Robert Weakley,  
Robert Whitehill,  
Robert Witherspoon.

The question then recurred on the motion to postpone indefinitely :  
And the same being taken,

It was determined in the negative, { Yeas ..... 45,  
Nays ..... 65.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

Daniel Blaisdell,  
 John Campbell,  
 John C. Chamberlain,  
 William Chamberlin,  
 Epaphroditus Champion,  
 Samuel W. Dana,  
 John Davenport, jun.  
 William Ely,  
 James Emott,  
 Thomas R. Gold,  
 William Hale,  
 Nathaniel A. Haven,  
 Daniel Heister,  
 Jonathan H. Hubbard,  
 Richard Jackson,  
 Robert Jenkins,  
 Herman Knickerbacker,  
 Joseph Lewis, jun.  
 Edward St. Loe Livermore,  
 Robert Le Roy Livingston,  
 Matthew Lyon,  
 Vincent Matthews,  
 Pleasant M. Miller,

William Milnor,  
 Joseph Pearson,  
 Benjamin Pickman, junior,  
 Timothy Pitkin, junior,  
 Josiah Quincy,  
 John Randolph,  
 John Ross,  
 Thomas Sammons,  
 Daniel Sheffey,  
 John Stanley,  
 William Stedman,  
 James Stephenson,  
 Lewis B. Sturges,  
 Jacob Swoope,  
 Samuel Taggart,  
 Benjamin Tallmadge,  
 Uri Tracy,  
 Nicholas Van Dyke,  
 Archibald Van Horn,  
 Killian K. Van Rensselaer,  
 Laban Wheaton,  
 Ezekiel Whitman.

Those who voted in the negative, are,

Lemuel J. Alston,  
 Willis Alston, junior,  
 William Anderson,  
 Ezekiel Bacon,  
 David Bard,  
 Burwell Bassett,  
 William W. Bibb,  
 Adam Boyd,  
 John Brown,  
 Robert Brown,  
 William A. Burwell,  
 William Butler,  
 Joseph Calhoun,  
 Matthew Clay,  
 Howell Cobb,  
 James Cochran,  
 Orchard Cook,  
 James Cox,  
 William Crawford  
 Richard Cutts,  
 John Dawson,  
 Joseph Desha,  
 John W. Eppes,  
 William Findley,  
 Jonathan Fisk,  
 Meshack Franklin,  
 Barzillai Gannett,  
 Gideon Gardner,  
 Thomas Gholson, junior,  
 William Helms,  
 James Holland,  
 Benjamin Howard,  
 Jacob Hufty,

John G. Jackson,  
 Richard M. Johnson,  
 Walter Jones,  
 William Kennedy,  
 Aaron Lyle,  
 Samuel M'Kee,  
 Alexander M'Kim,  
 John Montgomery,  
 Nicholas R. Moore,  
 Thomas Moore,  
 Jeremiah Morrow,  
 Thomas Newton,  
 John Porter,  
 Peter B. Porter,  
 John Rea, *of Pennsylvania*,  
 John Rhea, *of Tennessee*,  
 Matthias Richards,  
 John Roane,  
 Erastus Root,  
 Ebenezer Sage,  
 Lemuel Sawyer,  
 Samuel Shaw,  
 John Smilie,  
 George Smith,  
 Samuel Smith,  
 Henry Southard,  
 Richard Stanford,  
 John Thompson,  
 Robert Weakley,  
 Robert Whitehill,  
 Richard Winn,  
 Robert Witherspoon.

A motion was then made by Mr. Livermore, and seconded, that the House do now adjourn :

And the question being taken thereupon,

It was determined in the negative, { Yeas ..... 39,  
 { Nays ..... 63.

The yeas and nays being demanded by one-fifth of the members present,

Those who voted in the affirmative, are,

Daniel Blaisdell,  
John Campbell,  
William Chamberlin,  
Epaphroditus Champion,  
Samuel W. Dana,  
John Davenport, junior,  
William Ely,  
James Emott,  
Thomas R. Gold,  
William Hale,  
Nathaniel A. Haven,  
Jonathan H. Hubbard,  
Robert Jenkins,  
Herman Knickerbacker,  
Joseph Lewis, jr.  
Edward St. Loe Livermore,  
Robert Le Roy Livingston,  
Matthew Lyon,  
Vincent Matthews,  
Pleasant M. Miller,

William Milnor,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Josiah Quincy,  
Thomas Sammons,  
Daniel Sheffey,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Benjamin Tallmadge,  
Uri Tracy,  
Nicholas Van Dyke,  
Archibald Van Horn,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman.

Those who voted in the negative, are,

Lemuel J. Alston,  
Willis Alston, jun.  
William Anderson,  
Ezekiel Bacon,  
David Bard,  
Burwell Bassett,  
William W. Bibb,  
Adam Boyd,  
John Brown,  
Robert Brown,  
William Butler,  
Joseph Calhoun,  
Matthew Clay,  
Howell Cobb,  
James Cochran,  
Orchard Cook,  
James Cox,  
William Crawford,  
Richard Cutts,  
John Dawson,  
Joseph Desha,  
John W. Eppes,  
William Findley,  
Jonathan Fisk,  
Meshack Franklin,  
Barzillai Gannett,  
Gideon Gardner,  
Thomas Gholson, jun.  
William Helms,  
James Holland,  
Benjamin Howard,  
Jacob Hufty,

John G. Jackson,  
Richard M. Johnson,  
Walter Jones,  
William Kennedy,  
Aaron Lyle,  
Samuel M'Kee,  
Alexander M'Kim,  
John Montgomery,  
Nicholas R. Moore,  
Thomas Moore,  
Jeremiah Morrow,  
Thomas Newton,  
John Porter,  
Peter B. Porter,  
John Rea, of *Pennsylvania*,  
John Rhea, of *Tennessee*,  
Matthias Richards,  
John Roane,  
Erastus Root,  
Ebenezer Sage,  
Lemuel Sawyer,  
Samuel Shaw,  
John Smilie,  
George Smith,  
Samuel Smith,  
Henry Southard,  
Richard Stanford,  
Robert Weakley,  
Robert Whitehill,  
Richard Winn,  
Robert Witherspoon.

The question was then stated from the chair, that the House do agree to the first resolution contained in the said report, in the words following, to wit :

*"Resolved, That the election held in Plymouth district in November last, was legal and proper."*

A motion was made by Mr. Livermore, and seconded, to amend the said resolution, by adding after the words "legal and proper," the words "*but not conclusive*."

Mr. Speaker decided that the said motion was not in order, it being a substitute for the resolution under consideration, and that agreeably to the standing rules and orders of the House, no new proposition shall be admitted, under color of amendment, as a substitute for the motion or proposition under debate.

Those who voted in the affirmative, are,

Lemuel J. Alston,  
 Willis Alston, jun.  
 William Anderson,  
 Ezekiel Bacon,  
 David Bard,  
 Burwell Bassett,  
 William W. Bibb,  
 Adam Boyd,  
 John Brown,  
 Robert Brown,  
 William A. Burwell,  
 William Butler,  
 Joseph Calhoun,  
 Matthew Clay,  
 James Cochran,  
 Orchard Cook,  
 James Cox,  
 William Crawford,  
 Richard Cutts,  
 John Dawson,  
 Joseph Desha,  
 John W. Eppes,  
 William Findley,  
 Jonathan Fisk,  
 Meshack Franklin,  
 Barzillai Gannett,  
 Gideon Gardner,  
 Thomas Gholson, jun.

William Helms,  
 James Holland,  
 Benjamin Howard,  
 Jacob Hufty,  
 John G. Jackson,  
 Richard M. Johnson,  
 William Kennedy,  
 Aaron Lyle,  
 Samuel M'Kee,  
 Alexander M'Kim,  
 John Montgomery,  
 Nicholas R. Moore,  
 Thomas Moore,  
 Jeremiah Morrow,  
 Thomas Newton,  
 John Porter,  
 Peter B. Porter,  
 John Rea, of *Pennsylvania*,  
 John Rhea, of *Tennessee*,  
 Matthias Richards,  
 John Roane,  
 Erastus Root, \*  
 Ebenezer Sage,  
 Samuel Shaw,  
 George Smith,  
 Robert Weakley,  
 Robert Whitehill,  
 Robert Witherspoon.

Those who voted in the negative, are,

Daniel Blaisdell,  
 Samuel W. Dana,  
 Joseph Lewis, jun.  
 Robert Le Roy Livingston,  
 William Milnor,  
 Benjamin Pickman, jun.

Josiah Quincy,  
 Thomas Sammons,  
 James Stephenson,  
 Nicholas Van Dyke,  
 Archibald Van Horn,  
 Ezekiel Whitman.

It having appeared by the foregoing vote that a quorum consisting of a majority of the whole number of members, not being present,

The House adjourned until to-morrow morning eleven o'clock.

### WEDNESDAY, JUNE 28, 1809.

A motion was made by Mr. John G. Jackson, and seconded, that the House do come to the following resolution :

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the Senate and the Speaker of the House of Representatives, be authorized to adjourn their respective Houses on Friday next, instead of this day.

The said resolution was read, and permitted to lie on the table.

On motion of Mr. Stanford, and seconded,

*Resolved*, That the Postmaster General be, and is hereby directed, to prepare and report to the House of Representatives, at the next session of Congress, such a system as will enable the House to comprize into *one*, the several laws which have been made and are now in force respecting the post office and post roads within the United States, adding thereto any other roads on which he thinks it expedient to carry a mail; with such additional notes and amendments as, in his opinion, will tend to obviate any difficulties in the transportation of the mail and newspapers.

Mr. Morrow presented a letter from the Secretary of the Treasury, directed to the Chairman of the Committee on the Public Lands, enclosing a letter from the Register of the Land Office for the Eastern District of Orleans Territory ; which were received, and ordered to lie on the table.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker* : The Senate have concurred in the amendments of this House to the bill, entitled " An act to amend and continue in force, ' An act to interdict the com-

And on the question that the House do agree to the said resolution,

Those who voted in the affirmative, are,

Walter Jones,  
William Kennedy,  
Aaron Lyle,  
Nathaniel Macon,  
Robert Marion,  
Samuel M'Kee,  
Alexander M'Kim,  
John Montgomery,  
Nicholas R. Moore,  
Jeremiah Morrow,  
Thomas Newton,  
John Rea, *of Pennsylvania*;  
John Rhea, *of Tennessee*;  
Matthias Richards,  
John Roane,  
Erastus Root,  
Ebenezer Sage,  
Samuel Shaw,  
John Smilie,  
George Smith,  
John Smith,  
Samuel Smith,  
Richard Stanford,  
John Taylor,  
John Thompson,  
George M. Troup,  
Robert Weakley,  
Robert Whitehill,  
Richard Winn,  
Robert Witherspoon.

Vincent Matthews,  
John Nicholson,  
Joseph Pearson,  
Benjamin Pickman, jr.  
Timothy Pitkin, jun.  
Josiah Quincy,  
John Ross,  
Thomas Sammons,  
Daniel Sheffey,  
John Stanley,  
William Stedman,  
James Stephenson,  
Jacob Swoope,  
Samuel Taggart,  
Jabez Upham,  
Nicholas Van Dyke,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman,  
James Wilson.

ords :  
*Resolved*, That Charles Turner, junior, *is entitled* to a seat in this House."  
 And on the question that the House do agree to the said resolution,

The yeas and nays being demanded by one-fifth of the members present,

Walter Jones,  
William Kennedy,  
Aaron Lyle,  
Nathaniel Macon,  
Robert Marion,  
Samuel M'Kee,  
Alexander M'Kim,  
John Montgomery,  
Nicholas R. Moore,  
Jeremiah Morrow,  
Thomas Newton,  
Peter B. Porter,  
John Rea, *of Pennsylvania*,  
John Rhea, *of Tennessee*,  
Matthias Richards,  
John Roane,  
Erastus Root,  
Ebenezer Sage,  
Samuel Shaw,  
John Smilie,  
George Smith,  
John Smith,  
Samuel Smith,  
Richard Stanford,  
John Taylor,  
John Thompson,  
George M. Troup,  
Robert Weakley,  
Robert Whitehill,  
Richard Winn,  
Robert Witherspoon.

John Nicholson,  
Joseph Pearson,  
Benjamin Pickman, jun.  
Timothy Pitkin, jun.  
Josiah Quincy,  
John Randolph,  
John Ross,  
Thomas Sammons,  
John Stanley,  
William Stedman,  
James Stephenson,  
Lewis B. Sturges,  
Jacob Swoope,  
Samuel Taggart,  
Jabez Upham,  
Nicholas Van Dyke,  
Killian K. Van Rensselaer,  
Laban Wheaton,  
Ezekiel Whitman,  
James Wilson.

The said Charles Turner, junior, then took his seat as a Representative for the State

of Massachusetts: the oath to support the Constitution of the United States being first administered to him by the Speaker.

Mr. Fisk, from the Joint Committee for Enrolled Bills, reported that the committee had examined the following enrolled bills, to wit:

"An act to amend and continue in force an act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;'"

"An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress;" and

"An act freeing from postage all letters and packets from Thomas Jefferson;" and had found the same to be truly enrolled: Whereupon,

Mr. Speaker signed the said enrolled bills.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

A message from the Senate, by Mr. Otis, their Secretary:

*Mr. Speaker*: The Senate have passed the bill, entitled "An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt,'" with amendments; to which they desire the concurrence of this House. And then he withdrew.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill sent from the Senate, entitled "An act for the remission of certain penalties and forfeitures, and for other purposes;" and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Desha reported that the committee had, according to order, had the said bill under consideration, and made several amendments thereto; which were severally twice read at the Clerk's table, and, on the question put thereupon, concurred in by the House.

The said bill was then further amended at the Clerk's table, and, together with the amendments, ordered to be read the third time to-day.

The House proceeded to consider the amendments of the Senate to the bill, entitled "An act supplementary to the act, entitled 'An act making provision for the support of public credit, and for the redemption of the public debt,'" and the same being twice read at the Clerk's table, were, on the question put thereupon, concurred in by the House.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The bill sent from the Senate, entitled "An act in addition to the 'Act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the Ohio,'" was read the first time.

On motion,

The said bill was read the second time, and committed to a Committee of the House this day.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill sent from the Senate, entitled "An act to suspend, for a limited time, the recruiting service;" and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Macon reported that the committee had, according to order, had the said bill under consideration, and made an amendment thereto; which was twice read at the Clerk's table, and concurred in by the House.

*Ordered*, That the said bill be read the third time this day.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill from the Senate, entitled "An act authorizing the Accounting Officers of the Treasury Department to give credit to certain Collectors of the Customs for allowances paid by them to the owners and crews of fishing vessels;" and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bassett reported that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

*Ordered*, That the said bill be *now* read the third time.

The said bill was accordingly read the third time:

And, on the question that the same do pass,

It was resolved in the affirmative.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The bill sent from the Senate, entitled "An act to suspend, for a limited time, the recruiting service," was read the third time:

And on the question that the same do pass,

It was resolved in the affirmative.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The bill sent from the Senate, entitled "An act for the remission of certain penalties and forfeitures, and for other purposes," was read the third time :

And on the question that the same do pass,

It was resolved in the affirmative.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill sent from the Senate, entitled "An act in addition to the 'Act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio ;'" and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Macon reported that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

A motion was made by Mr. John G. Jackson, and seconded, to amend the same by adding a new section to the end thereof.

Another motion was made, and the question being put that the said bill, as amended, do lie on the table,

It was resolved in the affirmative.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker* : The Senate have concurred in the amendments made by this House to the bill, entitled "An act for the remission of certain penalties and forfeitures, and for other purposes." And then he withdrew.

Mr. Randolph, from the committee appointed, on the thirty-first ultimo, to inquire and report whether public moneys have been faithfully applied to the objects for which they were appropriated, and whether the same have been regularly accounted for, made a further report, in part, thereon ; which was permitted to lie on the table.

Mr. Randolph, from the committee appointed, on the first instant, presented, according to order, a bill to secure an impartial jury in all cases, civil and criminal, maintained in the Courts of the United States ; which was received, and permitted to lie on the table.

Mr. Randolph, from the committee appointed on the twenty-seventh ultimo, presented, according to order, a bill to amend the act, entitled "An act for establishing rules and articles for the government of the armies of the United States ;" which was received, and permitted to lie on the table.

Mr. Randolph, from the committee appointed, on the first instant, presented, according to order, a bill providing for the third census or enumeration of the inhabitants of the United States ; which was received, and permitted to lie on the table.

On motion,

*Ordered*, That when the House adjourns, it will meet again at six o'clock in the afternoon.

And then the House adjourned until six o'clock.

### JUNE 28, 1809—*Six o'clock, P. M.*

Met, pursuant to adjournment.

The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill from the Senate, entitled "An act making an appropriation to finish and furnish the Senate Chamber, and for other purposes ;" and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cutts reported that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

*Ordered*, That the said bill be *now* read the third time.

The said bill was accordingly read the third time ;

And on the question that the same do pass,

It was resolved in the affirmative.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

*Ordered*, That Mr. Macon and Mr. Randolph have leave to be absent from the service of this House for the remainder of the session.

On motion of Mr. Eppes ;

*Ordered*, That the Committee of the Whole House to whom is committed the bill authorizing the discharge of Joseph Wilkinson, junior, from his imprisonment, be discharged from the consideration of the same.

*Ordered*, That the said bill be engrossed, and read the third time this day.

A motion was made by Mr. John G. Jackson, and seconded, to resume the consideration of the bill from the Senate, entitled "An act in addition to the act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio ;"

And the question being taken thereupon,

It was determined in the negative.

An engrossed bill authorizing the discharge of Joseph Wilkinson, junior, from his imprisonment, was read the third time.

*Resolved*, That the said bill do pass, and that the title be, "An act authorizing the discharge of Joseph Wilkinson, junior, from his imprisonment."

*Ordered*, That the Clerk of this House do carry the said bill to the Senate, and desire their concurrence.

The order of the day for the House to resolve itself into a Committee of the Whole House on the resolutions proposed by Mr. Sheffey, on the twenty-fourth instant, relative to the conflicting claims to the Batture adjoining the city of New Orleans, was called for.

A motion was made and seconded that the consideration of the said resolutions be postponed indefinitely :

And the question being taken thereupon,

It was determined in the negative.

The House then resolved itself into a Committee of the Whole House on the said resolutions ; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Desha reported that the committee had, according to order, had the said resolutions under consideration, and made some progress therein, and directed him to ask leave to sit again.

And on the question that the Committee of the Whole House have leave to sit again ?

It was determined in the negative.

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker* : The Senate have passed the bill, entitled "An act authorizing the discharge of Joseph Wilkinson, junior, from his imprisonment." The Senate have appointed a committee, on their part, jointly, with such committee as may be appointed on the part of this House, to wait on the President of the United States, and inform him of the proposed recess of Congress. And then he withdrew.

Mr. Gholson, from the Joint Committee for Enrolled Bills, reported that the committee presented to the President of the United States, for his approbation, the following enrolled bills, to wit :

"An act freeing from postage all letters and packets from Thomas Jefferson ;"

"An act to amend and continue in force an act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes ;"

"An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress;" and

"An act concerning the naval establishment."

Mr. Gholson, from the same committee, also reported that the committee had examined the following enrolled bills, to wit :

"An act to suspend, for a limited time, the recruiting service ;"

"An act authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels ;"

"An act making an appropriation to finish and furnish the Senate Chamber, and for other purposes ;" and

"An act for the remission of certain penalties and forfeitures, and for other purposes ;" and had found the same to be truly enrolled : Whereupon,

Mr. Speaker signed the said enrolled bills.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

The House proceeded to consider the resolution from the Senate, for the appointment of a Joint Committee to wait on the President of the United States, and inform him of the proposed recess of Congress ; and the same being twice read at the Clerk's table, was, on the question put thereupon, concurred in by the House.

*Ordered*, That Mr. Root and Mr. Crawford be appointed of the said committee, on the part of this House.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

A motion was made by Mr. Randolph, and seconded, that the House do now proceed to the consideration of the resolutions proposed by Mr. Sheffey, relating to the New Orleans batture :

And the question being taken thereupon,

It appeared that a quorum, consisting of a majority of the Whole House was not present : Whereupon,

*Ordered*, That there be an immediate call of the House, for the purpose of ascertaining the number of members attending in their places.

Pursuant to the above order, the Clerk proceeded to the said call, when it appeared that seventy-five members, exclusive of the Speaker, were present, and answered to their names.

Mr. Gholson, from the Joint Committee for Enrolled Bills, reported that the committee had examined the following enrolled bills, to wit :

"An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt;' and

"An act authorizing the discharge of Joseph Wilkinson, junior, from his imprisonment;" and had found the same to be truly enrolled : Whereupon,

Mr. Speaker signed the said enrolled bills.

*Ordered*, That the Clerk of this House do acquaint the Senate therewith.

Mr. Gholson, from the same committee, also reported that the committee presented to the President of the United States, for his approbation, the following enrolled bills, to wit :

"An act to suspend, for a limited time, the recruiting service ;"

"An act making an appropriation to finish and furnish the Senate Chamber, and for other purposes ;"

"An act for the remission of certain penalties and forfeitures, and for other purposes ;"

"An act authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels ;"

"An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt;' and

"An act authorizing the discharge of Joseph Wilkinson, junior, from his imprisonment."

A message was received from the President of the United States, by Mr. Graham, notifying that the President did approve and sign the following acts which originated in this House, to wit :

"An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives during the present session of Congress ;"

"An act concerning the naval establishment ;"

"An act authorizing the discharge of Joseph Wilkinson, junior, from his imprisonment;" and

"An act supplementary to the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt.'"

A message from the Senate, by Mr. Otis, their Secretary :

*Mr. Speaker* : I am directed to inform this House that the President of the United States has approved and signed the following acts which originated in the Senate, to wit :

"An act to amend and continue in force the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes ;"

"An act freeing from postage all letters and packets from Thomas Jefferson ;"

"An act for the remission of certain penalties and forfeitures, and for other purposes ;"

"An act to suspend, for a limited time, the recruiting service ;"

"An act authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels ;" and

"An act making an appropriation to finish and furnish the Senate Chamber, and for other purposes."

The Senate having completed the Legislative business before them, are now ready to adjourn. And then he withdrew.

Mr. Root, from the Joint Committee appointed to wait on the President of the United States, and inform him of the proposed recess of Congress, reported that the committee had performed that duty, and that the President informed them that he had no further communication to make to Congress during the present session.

*Ordered*, That a message be sent to the Senate, to inform them that this House, having completed the business before them, are now ready to adjourn ; and that the Clerk do go with the said message.

The Clerk accordingly went with the said message, and being returned,

The Speaker adjourned the House until the fourth Monday in November next.

# **JOURNAL**

OF THE

## **House of Representatives**

OF

**THE UNITED STATES,**

**AT THE SECOND SESSION OF THE ELEVENTH CONGRESS,**

**BEGUN AND HELD**

**AT THE CITY OF WASHINGTON,**

**NOVEMBER 27, 1809,**

**AND IN THE THIRTY-FOURTH YEAR OF THE INDEPENDENCE OF THE SAID STATES.**

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Reprinted by order of the House of Representatives.

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**WASHINGTON :**

**PRINTED BY GALES & SEATON.**

**1826.**